

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 on behalf of Coal
Mountain Mining Company Limited
Partnership, LLP and James M. Short

DOCKET NO.

03-1021-1208-01

Tax Map Identification Numbers For All Parcels Affected By This Order Are Shown On Exhibit A1

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
 Action: Amending Prior Orders Affecting Drilling Unit FF-39, Tract 1G
 (Referenced herein as "the Subject Drilling Unit")
 Location: Tazewell County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit FF-39 by Tract Sub-accounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

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 17, 2009 at the Conference Center, Russell County Office Building, Highland Drive, Lebanon, Virginia.
2. **Appearances:** Mark Swartz for the Unit Operator; and Sharon M.B. Pigeon, 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 subaccounts. 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 adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. (a) On December 18, 2003, 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 Tazewell County on December 22, 2003, in Deed Book 0898 at Page 182. The Supplemental was filed with the Clerk of The Circuit Court of Tazewell County on October 19, 2004 in Deed Book 0924 at Page 0880 (hereafter all orders are collectively referred to as the "Pooling Orders").
- 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 the Pooling Orders and testimony, the coal estate ownership interests of Coal Mountain Mining Company Limited Partnership, LLP (Tract 1G) and the gas ownership interests of James M. Short (Tract 1G) in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding Tract 1G, a copy of which is attached hereto and made a part hereof, states under oath that Coal Mountain Mining Company Limited Partnership, LLP and James M. Short have entered into a split agreement with regard to Tract 1G. That by the terms of the agreement and escrow regarding these individual conflicting claims detailed herein escrowing with the Virginia Gas and Oil Board is no longer required.
- 4.4 The Unit Operator gave notice to the applicants that the Board would consider its disbursement authorization at its hearing on November 17, 2009 to 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 Tract 1G as identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to Tracts 1G and the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Coal Mountain Mining Company Limited Partnership, LLP and James M. Short are the owners of the coal estate and gas estate, respectively, underlying Tract 1G of the Subject Drilling Unit;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1.

VGOB Approved Disbursement
VGOB-03-1021-1208

As Given
Acreage Fraction Acreage Interest Split Agreement Acres % of Escrowed Funds

Table 1

		Tract 1G					
Item	Tract	Disbursement Table					
						55.63	
1	1G	Coal Mountain Mining Co. Ltd. Partnership, LLP, P. O. Box 675, Tazewell, VA 24651		17.0800	27.5%	4.70	8.4433%
2	1G	James M. Short, et al / c/o C. R. Bolling; Bolling-Hearl-Ratliff, / PO Box 1250 / Richlands, VA 2464		17.0800	72.5%	12.38	22.5957%

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 the Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

6. **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.**

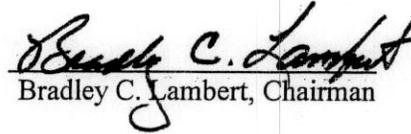
7. **Appeals:**

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.

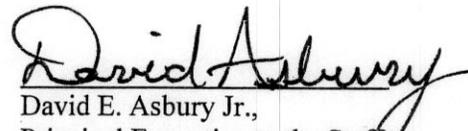
BK 1066PG0447

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

DONE AND EXECUTED this 24 day of Nov., 2009, by a majority of the Virginia Gas and Oil Board.

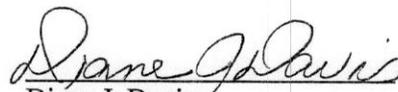

Bradley C. Lambert, Chairman

DONE AND PERFORMED this ~~24~~²⁹ day of November, 2009, 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 24th day of November, 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: 09/30/13



BK 1066PG0448

AUTHORIZATION AGREEMENT

The undersigned James M. Short requests and authorizes CNX Gas Company to issue the check for all accumulated and escrowed royalties so as to be made payable to the undersigned, James M. Short, but which check the undersigned requests to be mailed to C. R. Bolling at the law firm of Bolling • Hearl • Ratliff, P.O. Box 1250, Richlands, Virginia 24641.

The undersigned understands that this Authorization Agreement will be submitted to the Oil and Gas Board to confirm the undersigned's agreement for the disbursement check to be mailed directly to C. R. Bolling as above described.

11-16-09

Date

James M. Short
JAMES M. SHORT

COMMONWEALTH of VIRGINIA;
COUNTY of TAZEWELL; to wit:

James M. Short, whose identity is known to me personally or proven by photographic evidence, acknowledged the foregoing Authorization Agreement, before me on this the 16th day of November, 2009.

My Commission Expires:

Feb. 28, 2011

Deborah C. Fields

Notary Public

Registration No.: 299026



BK 1066PC0440

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 03-1021-1208-01

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

HEARING DATE: November 17, 2009

DRILLING UNIT: FF-39

Tazewell
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) 1G as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to Deed of Confirmation between Coal Mountain Mining Company Limited Partnership, LLP and James M. Short

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

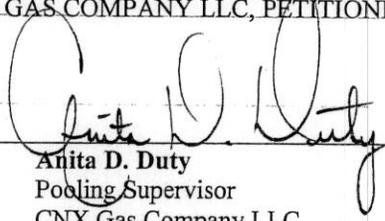
4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Coal Mountain Mining Company Limited Partnership, LLP and James M. Short have entered into a Deed of Confirmation dated July 30, 2009 and recorded in Deed Book 1058 Page 642 on August 5, 2009 in Tazewell County, VA. Said agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

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

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: _____



Anita D. Duty
Pooling Supervisor
CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, West Virginia 24701

BK 1066PG0450

Tract-by-Tract Escrow Calculation
Account Balances as of 9/30/09

Unit FF39
 VGOB 03-1021-1208-01
 Acres Escrowed: 55.63000

Owners	Tract #	Acres	Total Tract Percent of Escrow	Per Agreement Percent of Escrow to be Paid	Amount Due Owners
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$1,379.20
Betty J. Short, et al - O&G	1a	1.47	2.64246%		\$1,379.20
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$835.03
Perry & Sylvia Naydine Deskins - O&G	1b	0.89	1.59986%		\$835.03
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$1,876.47
Raymond E. Shelton, et al - O&G	1c	2.00	3.59518%		\$1,876.47
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$3,293.20
Nadeine Deskins - O&G	1d	3.51	6.30955%		\$3,293.20
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$18,304.92
Wanda Simmons, et al - O&G	1e	19.51	35.07100%		\$18,304.92
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$8,813.76
James M. Short - O&G	1g	17.08000	30.70286%	8.44329%	\$23,236.27
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$290.85
Knox Creek Coal Corporation - O&G	1h	0.31	0.55725%		\$290.85
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$1,632.52
Alvie Newberry, et ux - O&G	1i	1.74	3.12781%		\$1,632.52
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$2,101.64
Alvie Newberry, et ux - O&G	2a	2.24	4.02660%		\$2,101.64
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$1,876.47
Knox Creek Coal Corporation - O&G	2b	2.00	3.59518%		\$1,876.47
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					\$4,578.58
Knox Creek Coal Corporation - O&G	2c	4.88	8.77225%		\$4,578.58

Wells contributing to the escrow account: FF39

PROPERTY LINES SHOWN WERE TAKEN FROM AS PROVIDED BY CONSOL Inc. AND WERE NOT SURVEYED.

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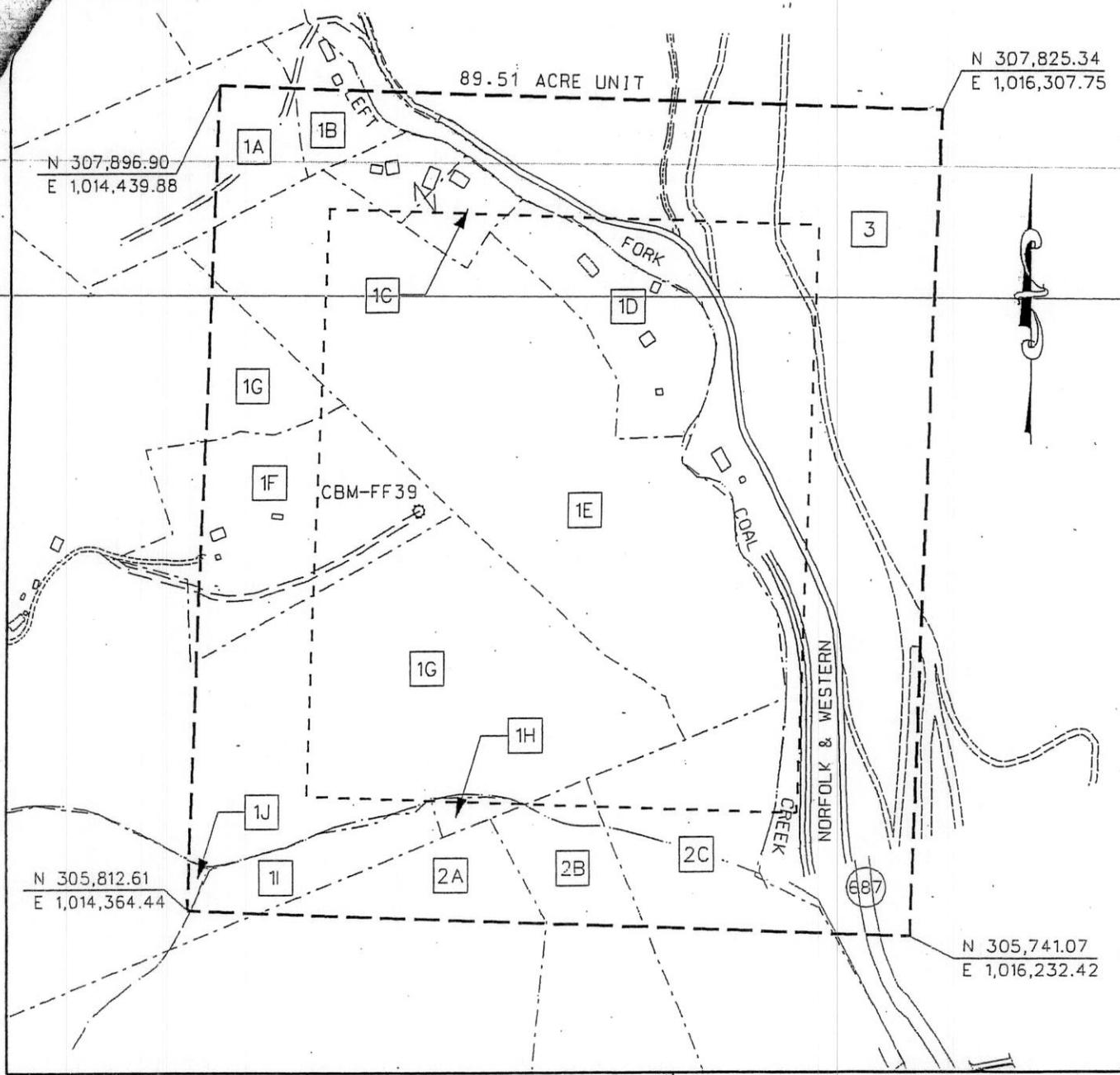
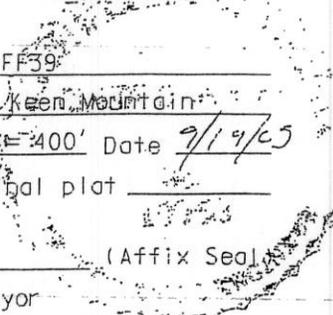


EXHIBIT A
 OAKWOOD FIELD UNIT FF-39
 FORCE POOLING
 VGOB-03-1021-1208

Company CNX Gas Company LLC Well Name and Number UNIT FF39
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Tazewell District Maiden Springs Scale: 1" = 400' Date 9/19/05
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Charles D. May
 Licensed Professional Engineer or Licensed Land Surveyor



BK 1066PG0452

CNX GAS COMPANY LLC

UNIT FF-39

Tract Identifications
(89.50 Acre Unit)

- 1A. 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)
1.47 acres 1.6425%
- 1B. 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
Perry Deskins, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 97)
0.89 acres 0.9944%
- 1C. 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
Raymond E. Shelton, et ux – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 96)
2.00 acres 2.2346%
- 1D. 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
Nadeine Deskins – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 95)
3.49 acres 3.8994%
- 1E. 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)
19.54 acres 21.8324%
- 1F. 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)
5.58 acres 6.2346%

CNX GAS COMPANY LLC

UNIT FF-39

Tract Identifications

(89.50 Acre Unit)

BK 1066PG0453

- 1G. 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
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)
17.06 acres 19.0615%
- 1H. 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
Knox Creek Coal Corporation – Surface and All Minerals except Coal
(Tax Map NM0245)
0.32 acres 0.3575%
- 1I. 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
Edward D. Newberry, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 89)
1.77 acres 1.9777%
- 1J. 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)
0.10 acres 0.1117%
- 2A. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 20 (John Ball 205 Acre Tract) – Coal
Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Edward N. Newberry, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 89)
2.21 acres 2.4693%

CNX GAS COMPANY LLC

BK 1066PG0454

UNIT FF-39
Tract Identifications
(89.50 Acre Unit)

- 2B. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 20 (John Ball 205 Acre Tract) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Knox Creek Coal Corporation – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 84)
2.03 acres 2.2682%
- 2C. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 20 (John Ball 205 Acre Tract) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Knox Creek Coal Corporation, et al – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 94)
4.87 acres 5.4413%
3. Commonwealth Coal Company (May & Painter 1497.62 Acre Tract) - Fee Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 64, Parcel 0000)
28.17 acres 31.4749%

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Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

Interest in
Unit

Acres in Unit

Tract #1A, 1.47 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.47 acres	1.6423%
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OIL & GAS OWNERSHIP

(1) Betty J. Short, et al.	1.47 acres	1.6423%
(a) Betty J. Short 411 Kents Ridge Road Richlands, VA 24641	1.10 acres 3/4 of 1.47 acres	1.2317%
(b) Charles G. Rakes Rt.3 Box 108A Tazewell, VA 24651	0.37 acres 1/4 of 1.47 acres	0.4106%

Tract #1B, 0.89 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.89 acres	0.9943%
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OIL & GAS OWNERSHIP

(1) Perry & Sylvia Naydine Deskins Star Rt. Box 37A Raven, VA 24639	0.89 acres	0.9943%
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Tract #1C, 2.00 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.00 acres	2.2344%
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OIL & GAS OWNERSHIP

(1) Raymond E. Shelton, et al. HC62 Box 37 Raven, VA 24639	2.00 acres	2.2344%
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Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1D, 3.51 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	3.51 acres	3.9213%
<u>OIL & GAS OWNERSHIP</u>		
(1) Nadeine Deskins, widow HC62 Box 35 Raven, VA 24639	3.51 acres	3.9213%
<u>Tract #1E, 19.51 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	19.51 acres	21.7964%
<u>OIL & GAS OWNERSHIP</u>		
(1) Wanda Simmons, et al. (Mary Jane Short Heirs, Devisees, Successors or Assigns)	19.51 acres	21.7964%
(a) Maude Murray 1234 1/2 N. F Street Muscogee, OK 74403	1.42 acres 7/96 of 19.51 acres	1.5893%
(b) Ruby Boice 1409 Old Manor Road Chesapeake, VA 23323	1.42 acres 7/96 of 19.51 acres	1.5893%
(c) Millie Maxey Campbell 216 Cassidy Avenue Virginia Beach, VA 23452	1.42 acres 7/96 of 19.51 acres	1.5893%
(d) Carolyn Phelps Heirs, Devisees, Successors or Assigns		
(d.1) Robert L. Phelps, widower 3108 Sterling Way Portsmouth, VA 23703	1.42 acres 7/96 of 19.51 acres	1.5893%
(e) George H. Short 806 Nottingham Road Portsmouth, VA 23703	1.42 acres 7/96 of 19.51 acres	1.5893%

BK 1066PG0457

Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit
(f) James H. Short 622 Chandler Harper Drive Portsmouth, VA 23701	1.42 acres 7/96 of 19.51 acres	1.5893%
(g) Donald Blane Short 4404 Point West Drive Portsmouth, VA 23703	1.42 acres 7/96 of 19.51 acres	1.5893%
(h) Alfred V. Short Heirs, Devisees, Successors or Assigns		
(h.1) Alfred V. Short, Jr. 109 Wyoming Avenue Portsmouth, VA 23701	0.47 acres 7/288 of 19.51 acres	0.5298%
(h.2) Cheryl Wood 13 California Avenue Portsmouth, VA 23701	0.47 acres 7/288 of 19.51 acres	0.5298%
(h.3) Patricia Clark 6101 #B College Drive Suffolk, VA 23435	0.47 acres 7/288 of 19.51 acres	0.5298%
(i) Daniel A. Short Heirs, Devisees, Successors or Assigns		
(i.1) Delmar Short (spouse) 2741 Martha Drive Chesapeake, VA 23323	0.47 acres 7/288 of 19.51 acres	0.5298%
(i.2) Dennis Short 1421 Old Manor Road Chesapeake, VA 23323	0.14 acres 1/144 of 19.51 acres	0.1514%
(i.3) Dwayne Short 2106 Wyoming Avenue Portsmouth, VA 23701	0.14 acres 1/144 of 19.51 acres	0.1514%
(i.4) David Short 3920 Wedgewood Drive Chesapeake, VA 23321	0.14 acres 1/144 of 19.51 acres	0.1514%
(i.5) Danny Short 1112 Elm Street Suffolk, VA 23434	0.14 acres 1/144 of 19.51 acres	0.1514%
(i.6) Delmar Grover Short 2709 Martha Drive Chesapeake, VA 23323	0.14 acres 1/144 of 19.51 acres	0.1514%
(i.7) Dawn Short Robey 2749 Martha Drive Chesapeake, VA 23323	0.14 acres 1/144 of 19.51 acres	0.1514%

BK 1066PG0458

Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit
(i.8) Dianna Short Barney 3 Windmere Heights Bristol, VA 24201	0.14 acres 1/144 of 19.51 acres	0.1514%
(j) Max O. Short Heirs, Devisees, Successors or Assigns		
(j.1) Marie (Frances) Short, widow 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.47 acres 7/288 of 19.51 acres	0.5298%
(j.2) Mary Ann Rowe 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.47 acres 7/288 of 19.51 acres	0.5298%
(j.3) Carrol J. Short 3263 Asbury Square Atlanta, GA 30346	0.47 acres 7/288 of 19.51 acres	0.5298%
(k) John D. Short 6178 Knotts Creek Lane Suffolk, VA 23435	1.42 acres 7/96 of 19.51 acres	1.5893%
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns		
(l.1) Dennis Simmons 109 Eagle Street Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.2) Bernice Simmons (Widow) Heirs, Devisees, Successors or Assigns		
(l.2.1) Michael T. Simmons 520 Crestwood Drive Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.3) Norma Lee 751 Terry Drive Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.4) Billy R. Simmons P.O. Box 45 Doran, VA 24612	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.5) Jack Simmons 764 Terry Drive Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.6) Renee Younce 1828 Broad Street Bristol, TN 37620	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.7) Bernard Simmons 2805 W. Front Street Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%
(l.8) Sandra Simmons	0.18 acres	0.1987%

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BK 1066PG0459

Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit
3455 Pitzer Road Roanoke, VA 24014	7/768 of 19.51 acres	
(2) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	2.44 acres 1/8 of 19.51 acres	2.7246%

Tract #1H, 0.31 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.31 acres	0.3463%
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OIL & GAS OWNERSHIP

(1) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	0.31 acres	0.3463%
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Tract #1I, 1.74 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.74 acres	1.9439%
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OIL & GAS OWNERSHIP

(1) Alvie Newberry, et ux. Rt.1 Box 20 Raven, VA 24639	1.74 acres	1.9439%
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Tract #2A, 2.24 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.24 acres	2.5025%
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OIL & GAS OWNERSHIP

(1) Alvie Newberry, et ux. Rt.1 Box 20 Raven, VA 24639	2.24 acres	2.5025%
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BK 1066PG0460

Exhibit E
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants that require escrow
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2B, 2.00 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.00 acres	2.2344%
<u>OIL & GAS OWNERSHIP</u>		
(1) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	2.00 acres	2.2344%
<u>Tract #2C, 4.88 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	4.88 acres	5.4519%
<u>OIL & GAS OWNERSHIP</u>		
(1) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	4.88 acres	5.4519%

BK1066PG0461

Exhibit EE
Unit FF-39
Docket #VGOB 03-1021-1208
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1F, 5.57 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	5.57 acres	6.2228%	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	5.57 acres	6.2228%	n/a
<u>Tract #1G, 17.08 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	17.08 acres	19.1116%	8.44329%
<u>OIL & GAS OWNERSHIP</u>			
(1) James M. Short 181 Vickey Drive Richlands, VA 24641	17.08 acres	19.1116%	22.25957%
<i>The effect Deed of Confirmation dated 7/30/09, James Short 72.5% CBM rights / Coal Mountain 27.5% CBM right.</i>			
<u>Tract #1J, 0.09 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	0.09 acres	0.1005%	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	0.09 acres	0.1005%	n/a

INSTRUMENT #090005002
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
NOVEMBER 30, 2009 AT 12:46PM
Angelina Ray
JAMES E. BLEVINS, CLERK
RECORDED BY: ADR

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CNX GAS COMPANY LLC
UNIT FF-39
Tract Identifications

- 1A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 – 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
1.47 acres 1.6423 %
- 1B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Perry Deskins, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.89 acres 0.9943 %
- 1C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Raymond E. Shelton, et al. - Surface and All Minerals except Coal
2.00 acres 2.2344 %
- 1D. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Charlie Deskins, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
3.51 acres 3.9214 %
- 1E. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - 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 (70.4861%)
Knox Creek Carbon Company - Surface
19.51 acres 21.7964 %
- 1F. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - 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
5.57 acres 6.2228 %

CNX GAS COMPANY LLC

UNIT FF-39

Tract Identifications

- 1G. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
James M. Short, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
17.08 acres 19.0817 %
- 1H. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Knox Creek Coal Corporation - Surface and All Minerals except Coal
0.31 acres 0.3463 %
- 1I. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Alvie Newberry - Surface and All Minerals except Coal
1.74 acres 1.9439 %
- 1J. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Carl Ball, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.09 acres 0.1005 %
- 2A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Alvie Newberry - Surface and All Minerals except Coal
2.24 acres 2.5025 %
- 2B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Knox Creek Coal Corporation - Surface and All Minerals except Coal
2.00 acres 2.2344 %

CNX GAS COMPANY LLC

UNIT FF-39

Tract Identifications

- 2C. **Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Knox Creek Coal Corporation, et al - Surface and All Minerals except Coal
4.88 acres 5.4519 %**
3. **Commonwealth Coal Company (May & Painter Tr.) - Fee Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
28.22 acres 31.5272 %**

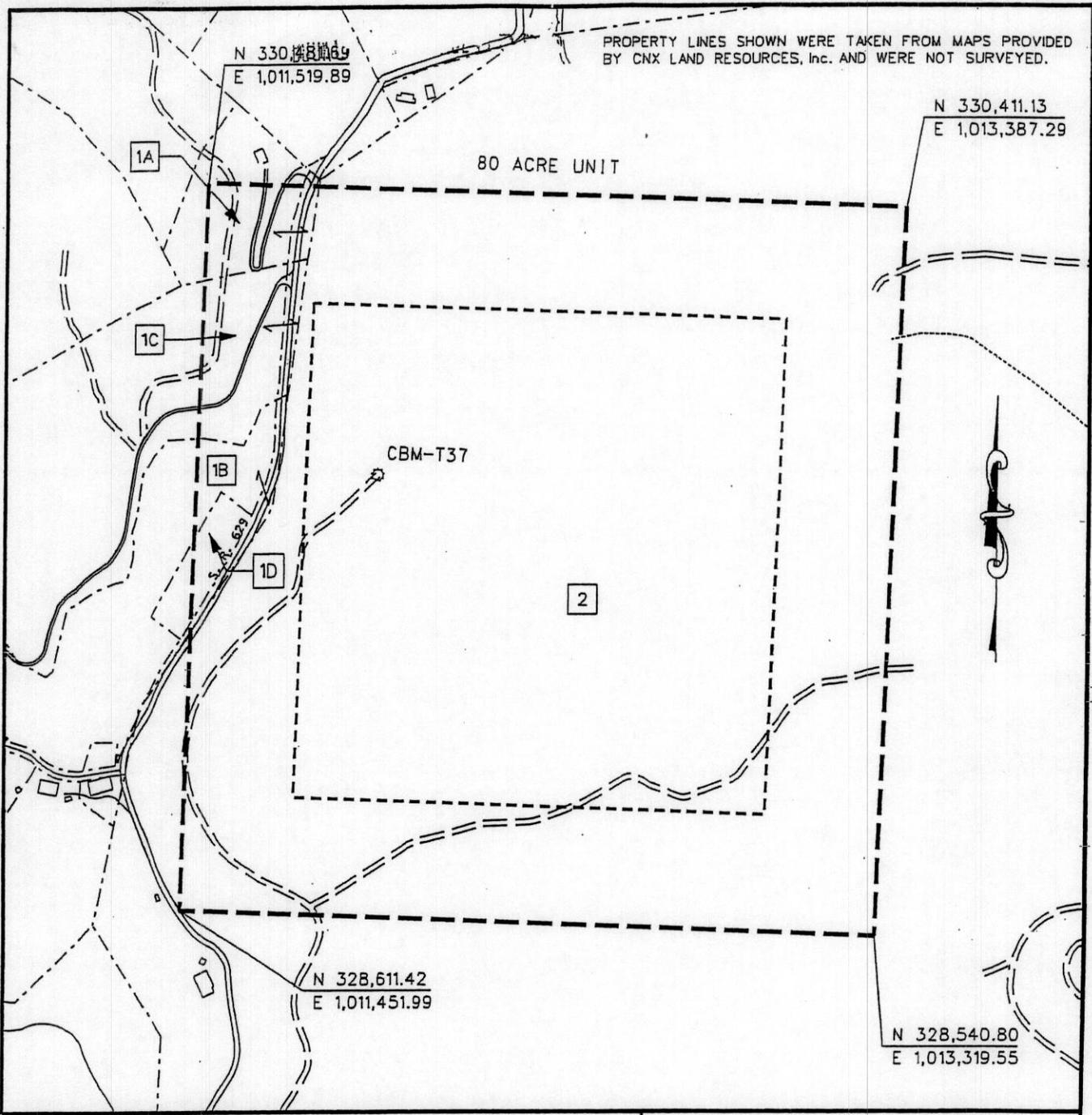


EXHIBIT A
 OAKWOOD FIELD UNIT T-37
 FORCE POOLING
 VGOB-98-0421-0650-02

Company CNX Gas Company, LLC. Well Name and Number UNIT T37
 Tract No. _____ Elevation _____ Quadrangle C. Keen Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 11/15/03
 This plat is a new plat X ; an updated plat _____ ; of a final plat _____

Form DGO-GD-7 _____ (Affix Seal)
 Rev. 9/91 Claude D. Mays
 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

UNIT T-37

Tract Identification

- 1A. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Linkous Horn Heirs - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased(10%)
Willard Osborne - Surface
1.68 acres 2.1000%
- 1B. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Mitchell Counts, et al - Surface and All Minerals except Coal
2.02 acres 2.5250%
- 1C. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Albert Ball Heirs - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
1.70 acres 2.1250%
- 1D. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Rodney D. Taylor, et ux - Surface and All Minerals except Coal
0.56 acres 0.7000%
2. Coal Mountain Mining Company L.L.P. Tr. 26 - Fee
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
74.04 acres 92.5500%