

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)

UNITWELL NAME: BUNE1

TRACT(S): 13B, A portion of 20, A portion of 21, A portion of 5, A portion of 5A

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-91-1119-0161-06

APPLICANTS: CNX Gas Company LLC on behalf of Eleanor Sue Hagy, Kimberly Davis Tucker, Nick Deskins, Torch Oil and Gas Company c/o Sue Ann Craddock, Valmy Shannon

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
March 17, 2015

APPEARANCES: Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 04/30/1992, Recorded on 11/09/1992, Deed Book/Instrument No. 400, Page 848.
2. Modification Order -01 Executed 01/15/1999, Recorded on 02/01/1999, Deed Book/Instrument No. 487, Page 316.
3. Supplemental Order -01 Executed 05/03/1999, Recorded on 05/12/1999, Deed Book/Instrument No. 491, Page 673.
4. Supplemental Order Executed 05/06/1999, Recorded on 05/12/1999, Deed Book/Instrument No. 491, Page 673.

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5. Supplemental Order -01, Recorded on 10/21/2013, Deed Book/Instrument No. 130002059.
6. Disbursement Order -02 Executed 11/08/2013, Recorded on 11/26/2013, Deed Book/Instrument No. 130002302.
7. Disbursement Order -03 Executed 11/08/2013, Recorded on 11/26/2013, Deed Book/Instrument No. 130002304.
8. Disbursement Order -05 Executed 04/24/2014, Recorded on 05/22/2014, Deed Book/Instrument No. 140000853.
9. Disbursement Order -04 Executed 05/15/2014, Recorded on 07/17/2014, Deed Book/Instrument No. 140001195.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 17, 2015 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 13B, A portion of 20, A portion of 21, A portion of 5, A portion of 5A identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 13B, A portion of 20, A portion of 21, A portion of 5, A portion of 5A relative to the interests of the Applicants identified in the attached 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:

(a) Kimberly Davis Tucker is entitled to 92.5% of the Royalties according to the final order which was executed on July 7, 2009, Case No:070004220-00, adjudicating the ownership of coalbed methane gas. (b) Torch Oil and Gas Company, and Nick Deskins, Valmy Shannon, and Eleanor Sue Hagy have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1 specifies how said royalties are to be divided and paid.

RELIEF GRANTED:

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**VGOB Disbursement
Unit BUNE1**

VGOB-91-1119-0161-06

**Table 1 (pay exact dollar amount based on account balance of)
Tracts: 13B, A portion of 20, A portion of 21, A portion of 5, A portion of 5A**

Item Tract	Disbursement Table	Fractional Ownership	Net Acreage	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Disbursement
	Total acreage in escrow before disbursement				215,785.0		
13B Tract 13B (total acreage)		0.34					
1	13B Torch Oil and Gas Company c/o Sue Ann Craddock\670 Dona Ana Road SW, Deming, New Mexico 88030		0.3400	7.50%	0.0255	0.0118%	\$58.68
2	13B Kimberly Davis Tucker\3930 McNaul Road, Mansfield, OH 44903		0.3400	92.50%	0.3145	0.1457%	\$723.77

**VGOB Disbursement
Unit BUNE1**

VGOB-91-1119-0161-06

**Table 2 (pay percentage on balance after deducting the above balance)
Tracts: 13B, A portion of 20, A portion of 21, A portion of 5, A portion of 5A**

Item Tract	Disbursement Table	Fractional Ownership	Net Acreage	Royalty Split	Escrowed Acres	Percent of Escrowed Funds
	Total acreage in escrow before disbursement				215,790.00	
5 Tract 5 (total acreage)		3.30				
1	5 Torch Oil and Gas Company c/o Sue Ann Craddock\670 Dona Ana Road SW, Deming, New Mexico 88030	1/36	0.0917	50.00%	0.0458	0.0212%
2	5 Nick Deskins\720 Skyview Drive, Chilhowie, VA 24319-4527	1/120	0.0275	50.00%	0.0138	0.0064%
3	5 Valmy Shannon\103 Blanton Drive, Seafood, VA 23696-2522	1/120	0.0275	50.00%	0.0138	0.0064%
4	5 Eleanor Sue Hagy\14475 Rainbow Road, Lot #31, Bristol VA 24202	1/90	0.0367	50.00%	0.0183	0.0085%

3.89

5A Tract 5A (total acreage)

1	5A	Torch Oil and Gas Company c/o Sue Ann Craddock670 Dona Ana Road SW, Deming, New Mexico 88030	1/36	0.1081	50.00%	0.0540	0.0250%
2	5A	Nick Deskins\720 Skyview Drive, Chilhowie, VA 24319-4527	1/120	0.0324	50.00%	0.0162	0.0075%
3	5A	Valmy Shannon\103 Blanton Drive, Seaford, VA 23696-2522	1/120	0.0324	50.00%	0.0162	0.0075%
4	5A	Eleanor Sue Hagy\14475 Rainbow Road, Lot #31, Bristol VA 24202	1/90	0.0432	50.00%	0.0216	0.0100%
20		Tract 20 (total acreage)	10.00				

10.00

1	20	Torch Oil and Gas Company c/o Sue Ann Craddock670 Dona Ana Road SW, Deming, New Mexico 88030	1/36	0.2778	50.00%	0.1389	0.0644%
2	20	Nick Deskins\720 Skyview Drive, Chilhowie, VA 24319-4527	1/120	0.0833	50.00%	0.0417	0.0193%
3	20	Valmy Shannon\103 Blanton Drive, Seaford, VA 23696-2522	1/120	0.0833	50.00%	0.0417	0.0193%
4	20	Eleanor Sue Hagy\14475 Rainbow Road, Lot #31, Bristol VA 24202	1/90	0.1111	50.00%	0.0556	0.0257%
13B		Tract 13B (total acreage)	0.34				

0.34

1	13B	Kimberly Davis Tucker\3930 McNaull Road, Mansfield OH 44903		0.3400	100.00%	0.3400	0.1576%
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0.80

21		Tract 21 (total acreage)	0.80				
1	21	Torch Oil and Gas Company c/o Sue Ann Craddock670 Dona Ana Road SW, Deming, New Mexico 88030	1/36	0.0222	50.00%	0.0111	0.0051%
2	21	Nick Deskins\720 Skyview Drive, Chilhowie, VA 24319-4527	1/120	0.0067	50.00%	0.0033	0.0015%
3	21	Valmy Shannon\103 Blanton Drive, Seaford, VA 23696-2522	1/120	0.0067	50.00%	0.0033	0.0015%
4	21	Eleanor Sue Hagy\14475 Rainbow Road, Lot #31, Bristol VA 24202	1/90	0.0089	50.00%	0.0044	0.0021%

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 and 2.

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.

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DONE AND EXECUTED this 23 day of March, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 23 day of March, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 23rd day of March, 2015, 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 appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 91-1119-0161-06

RELIEF SOUGHT: (1) DISBURSEMENT FROM □
 ESCROW REGARDING TRACT(S) 13B, A portion
 of 20, A portion of 21, A portion of 5, A portion of
 5A □

HEARING DATE: March 17, 2015

(2) AND AUTHORIZATION FOR DIRECT □
 PAYMENT OF ROYALTIES

DRILLING UNIT: BUNE1

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd, Bluefield, WV 24701, (304)323-6500. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 124 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent attributable to Tracts 5, 5A, 13B, 20 & 21 to the persons identified in Table 1 using the percentages set forth in Table 1; and (2) dismissal of coal owner(s)/claimant(s) named in the Notice of Hearing and identified in Exhibit B2 who were pooled by the Board as conflicting claimants. BUNE1.

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)

Gob Unit

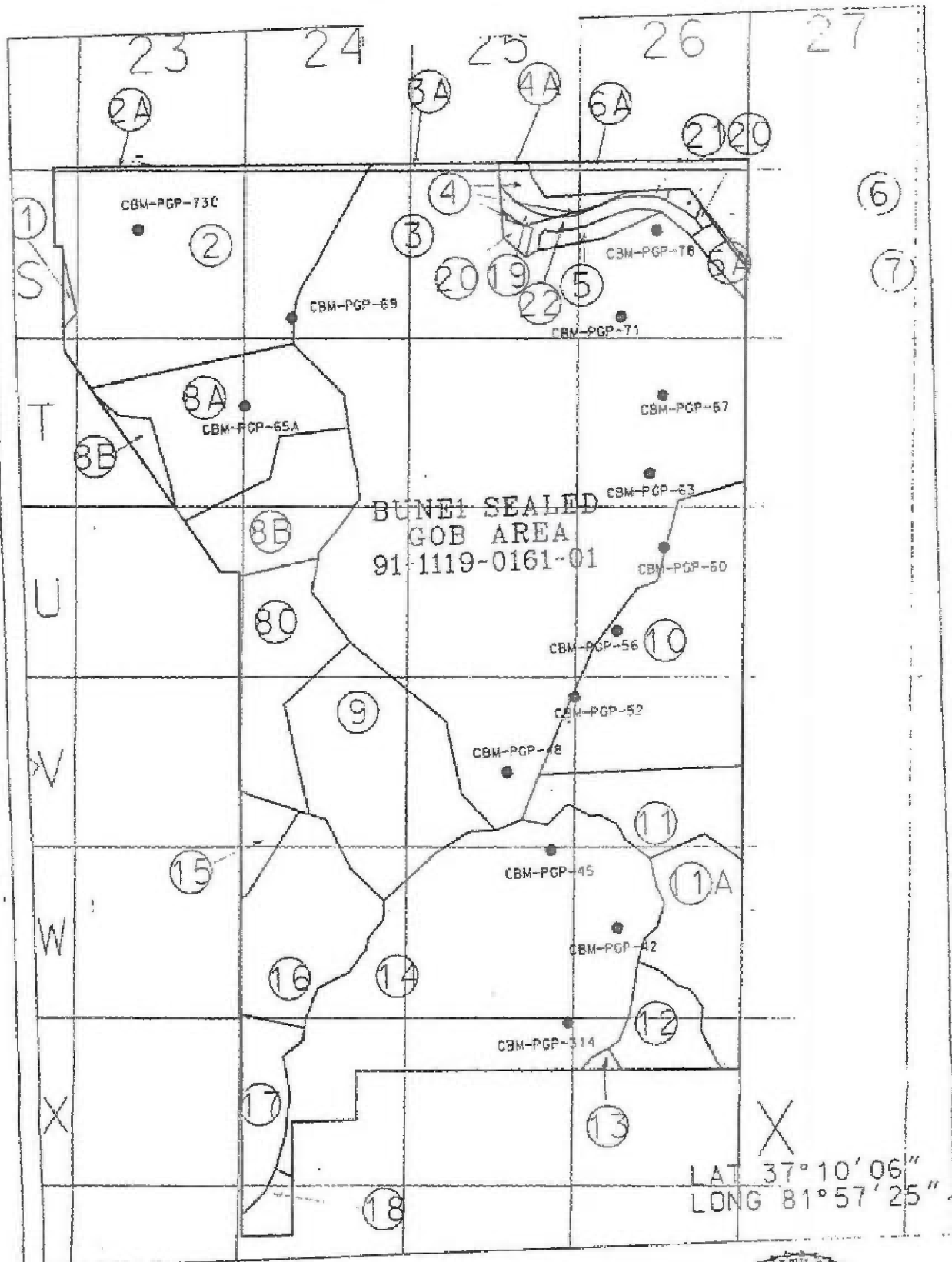
5. Factual basis for relief requested

(a) Kimberly Davis Tucker is entitled to 92.5% of the Royalties according to the final order which was executed on July 7, 2009, Case No:070004220-00, adjudicating the ownership of coalbed methane gas. (b) Torch Oil and Gas Company, and Nick Deskins, Valmy Shannon, and Eleanor Sue Hagy have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1 specifies how said royalties are to be divided and paid.

6. Attestation

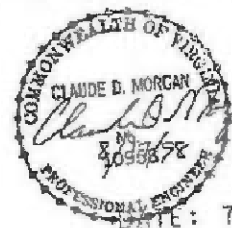
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The foregoing Petition to the best of my knowledge, information, and belief is true and correct.



LAT 37° 10' 06"
 LONG 81° 57' 25"

CONSOL INC.
 BUCHANAN NO. 1
 BUNE 1
 91-1119-0161-01
 EXHIBIT A1



DATE: 7-15-98
 SCALE 1"=1000'

EXHIBIT A-1 Supplement
BUNE1 SGU

10

3

11 - Torch Oil & Gas Co. / CNX Gas Company LLC
35.60 Acres

11C - Torch Oil & Gas Co. / Garden Realty Corp.
2.38 Acres

11A - Torch Oil & Gas Co. / CNX Gas Company LLC
16.60 Acres

11B - Torch Oil & Gas Co. /
CNX Gas Company (1/2)
William Tickle, Jr. (1/2)
25.91 Acres

12 - Torch Oil & Gas Co. / Ira Mutter
20.44 Acres

13C - Torch Oil & Gas Co. / Monta Mutter
0.04 Acres

13A - Torch Oil & Gas Co. / Fern Duecaster
0.94 Acres

13B - Torch Oil & Gas Co. / Kimberly R. Davis
0.34 Acres

BUNE1 Sealed Gob Boundary

POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

1. Yukon Pocahontas Coal Co., et al - Tr. 19 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
1.44 Acres 0.09706%

2. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
143.84 Acres 9.69488%

- 2A. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Buchanan Production Company - CBM Lessee
4.76 Acres 0.32083%

3. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
526.17 Acres 35.46409%

- 3A. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
United Coal Company
Buchanan Production Company- CBM Lessee
Buchanan Production Company - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
2.61 Acres 0.17592%

4. Modern Homes Inc. - Coal Oil & Gas
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
4.87 Acres 0.32834%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract identifications

- 4A. Modern Homes Inc. - Coal Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 Buchanan Production Company- CBM Lessee
 Buchanan Production Company - Oil & Gas Lessee
 0.73 Acres 0.04920%
5. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Lida Vandyke 4/5 -Oil & Gas
 3.30 Acres 0.22242%
- 5A. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Yukon Pocahontas Coal Co. Et al. 4/5 -Oil & Gas
 3.89 Acres 0.26219%
6. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 19.38 Acres 1.30622%
- 6A. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Buchanan Production Company - CBM Lessee
 5.80 Acres 0.39092%
7. Yukon Pocahontas Coal Co., et al - Tr. 99 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 0.69 Acres 0.04651%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

- 8A. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
65.64 Acres 4.42416%
- 8B. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
Janet Weatherford - 1/8 Gas Royalty Interest
48.01 Acres 3.23589%
- 8C. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
Clinton Don Wood - 1/8 Gas Royalty Interest
48.22 Acres 3.25005%
9. Hugh MacRae Land Trust - Tr. 11 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
S. J. Mullins Heirs - Oil & Gas
83.27 Acres 5.61243%
10. Hugh MacRae Land Trust - Tr. 6 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
103.33 Acres 6.96449%

**POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications**

- | | | | |
|-----|---|---|---------------------------------------|
| 11. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
37.98 Acres 2.55987% | } | (See Tract Identification Supplement) |
|-----|---|---|---------------------------------------|
- | | | | |
|------|---|---|---------------------------------------|
| 11A. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
1/2 Pocahontas Gas Partnership - Oil & Gas
1/2 William Tickle - Oil & Gas
42.51 Acres 2.86518% | } | (See Tract Identification Supplement) |
|------|---|---|---------------------------------------|
- | | | | |
|-----|--|---|--|
| 12. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
L. Mutter Heirs - Oil & Gas
20.44 Acres 1.37766% | } | |
|-----|--|---|--|
- | | | | |
|-----|--|---|---------------------------------------|
| 13. | Hugh MacRae Land Trust - Tr. 10 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
R. C. Mutter Heirs - Oil & Gas
1.32 Acres 0.06897% | } | (See Tract Identification Supplement) |
|-----|--|---|---------------------------------------|
- | | | | |
|-----|---|---|--|
| 14. | Hugh MacRae Land Trust - Tr. 24 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
201.08 Acres 13.55288% | } | |
|-----|---|---|--|

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

15. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
9.35 Acres 0.63019%
16. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
56.90 Acres 3.83508%
17. Hugh MacRae Land Trust - Tr. 13 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
23.22 Acres 1.56504%
18. Hugh MacRae Land Trust - Tr. 10 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
6.98 Acres 0.47046%
19. Virginia Department of Transportation - Coal (except P-3 seam), Oil & Gas
Consolidation Coal Company - Pocahontas #3 Seam
Pocahontas Gas Partnership - Oil & Gas Lessee
2.14 Acres 0.14424%
20. Hugh MacRae Land Trust - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Walter Wade Heirs 1/5 - Oil & Gas
Modern Homes Inc. 4/5 - Oil & Gas
10.00 Acres 0.67400%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

21. Hugh MacRae Land Trust - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Walter Wade Heirs 1/5 - Oil & Gas
Pepsico of Norton Inc. 4/5 -Oil & Gas
0.80 Acres 0.05392%
22. Hugh MacRae Land Trust - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Virginia Department of Transportation - Oil & Gas
5.00 Acres 0.33700%

CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement

11. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 CNX Gas Company LLC – Oil and Gas
 35.60 acres 2.3995%
- 11A. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 CNX Gas Company LLC – Oil and Gas
 16.60 acres 1.1189%
- 11B. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 William Tickle, Jr. – Oil and Gas (1/2)
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 CNX Gas Company LLC – Oil and Gas (1/2)
 25.91 acres 1.7463%
- 11C. Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 Garden Realty Corporation – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 2.38 acres 0.1604%
12. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 Ira C. Mutter, et ux (L. Mutter Heirs) – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 20.44 acres 1.3777%
- 13A. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 Fern Duecaster (R.C. Mutter Heirs) – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.94 acres 0.0634%
- 13B. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal Consolidation Coal Company – Coal Below Drainage Leased
 CNX Gas Company LLC – CBM Leased
 Kimberly Davis (R.C. Mutter Heirs) – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.34 acres 0.0229%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

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**CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement**

- 13C. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Monta G. Mutter (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.04 acres 0.0027%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Page 2 of 2

September 13, 2013

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-06
List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
<u>Tract #5 - 3.30 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 25 (36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	3.30 acres	0.2224%
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.</i>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
Lida Vandyke, et al. (8.72 Acre Tract - Lida Vandyke - 4/5 & Walter Wade Heirs - 1/5)	3.30 acres	0.2224%
(1) Lida G. Vandyke Heirs, Devisees, Successors or Assigns		
(a) Linda J. Holzgrefe 13765 Seabiscuit Drive Reno, NV 89521-8349	2.640 acres 4/5 of 3.30 acres	0.1779%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.055 acres 1/60 of 3.30 acres	0.0037%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Heirs pending</i>		
(b.1) Inez B. Kimbrell 225 Raven Circle Raven, VA 24639	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.2) Alice Ruth Meadows 5931 State Route 314 Fredericktown, OH 43019-9225	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.3) Wanda Griffith PO Box 116 Doran, VA 24612	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.4) Ted Allen Baldwin Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(b.4.1) Pansy Baldwin 135 Indian Springs Drive Cedar Bluff, VA 24609-8837	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.5) Sherman Baldwin 1210 Lake Whitten Road North Tazewell, VA 24630	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.6) Marty Baldwin <i>Address Unknown</i>	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.7) Ola Gay Baldwin Arnold Heirs, Devisees, Successors or Assigns		
(b.7.1) Wanda Gay Bohon <i>Address Pending</i>	0.009 acres 1/360 of 3.30 acres	0.0006%
(b.8) D.C. Baldwin Heirs, Devisees, Successors or Assigns		
(b.8.1) Nancy Baldwin Komp 2510 Arthur Road Springfield, OH 45502	0.005 acres 1/720 of 3.30 acres	0.0003%
(b.8.2) Sandy Baldwin Cramer 4460 Dayton Road, Lot 29 Springfield, OH 45502	0.005 acres 1/720 of 3.30 acres	0.0003%
(b.9) Shirley F. Baldwin Heirs, Devisees, Successors or Assigns		
(b.9.1) Donna Foote 9942 Oak Terrace Road Mardela Springs, MD 21837-2060	0.005 acres 1/720 of 3.30 acres	0.0003%
(b.9.2) Pamela Ginger Case 325 2nd Street North Little Rock, AK 72117	0.005 acres 1/720 of 3.30 acres	0.0003%
(b.10) Norman Baldwin Heirs, Devisees, Successors or Assigns		
(b.10.1) Rufus Baldwin 208 High Street Richlands, VA 24641	0.002 acres 1/1800 of 3.30 acres	0.0001%
(b.10.2) David Baldwin P.O. Box 803 Raven, VA 24639	0.002 acres 1/1800 of 3.30 acres	0.0001%
(b.10.3) Michael Baldwin P.O. Box 1044 Raven, VA 24639	0.002 acres 1/1800 of 3.30 acres	0.0001%

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	Net Acres in Unit	Interest in Unit
(b.10.4) Tammy Baldwin Muir 4480 Clarks Valley Road Swords Creek, VA 24849	0.002 acres 1/1800 of 3.30 acres	0.0001%
(b.10.5) Sharon K. Baldwin c/o SWVA Training Center 160 Training Center Road Hillsville, VA 24343	0.002 acres 1/1800 of 3.30 acres	0.0001%
(b.11) Bane Baldwin Heirs, Devisees, Successors or Assigns		
(b.11.1) Eddie Baldwin 1224 Sunset Drive, PO Box 372 Richlands, VA 24641	0.003 acres 1/1080 of 3.30 acres	0.0002%
(b.11.2) Kathy Whitt 8740 Swords Creek Road Swords Creek, VA 24649	0.003 acres 1/1080 of 3.30 acres	0.0002%
(b.11.3) Lisa Shaver 89 Sevier Street Lebanon, VA 24266-7142	0.003 acres 1/1080 of 3.30 acres	0.0002%
(b.12) Marty Arnold c/o Wanda Griffith P.O. Box 116 Doran, VA 24612	0.009 acres 1/360 of 3.30 acres	0.0006%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.4) Darrell Gillespie <i>Address pending</i>	0.028 acres 1/120 of 3.30 acres	0.0019%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.037 acres 1/90 of 3.30 acres	0.0025%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.037 acres 1/90 of 3.30 acres	0.0025%

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	Net Acres in Unit	Interest In Unit
(e) Veria Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.110 acres 1/30 of 3.30 acres	0.0074%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609		
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104		
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>		
(f.2) Tom C. Smith Heirs Deceased, no children - no issue		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620		
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649		
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681		

Exhibit E
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	Net Acres in Unit	Interest in Unit
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805		
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610		
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
Total tract acres	3.21	
Total tract percent		0.2162%

Tract #5A - 3.89 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust <i>Tr 25 (36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	3.89 acres	0.2622%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474,

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

OIL & GAS OWNERSHIP

Yukon Pocahontas Coal Co., et al <i>(Yukon Pocahontas Coal Co., et al - 4/5 & Walter Wade Heirs - 1/5)</i>	3.89 acres	0.2622%
(1) Yukon Pocahontas Coal Company, et al		
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.556 acres 2/5 of 3.112 acres	0.1049%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.346 acres 4/45 of 3.112 acres	0.0233%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.173 acres 2/45 of 3.112 acres	0.0117%

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 Unit BUNE1
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	Net Acres in Unit	Interest in Unit
(d) Highland Resources, Inc/ North American Resources, Corp. * Five Concourse Parkway, Suite 1650 Atlanta, GA 30328	1.037 acres 4/15 of 3.112 acres	0.0699%
* Note: Plum Creek Timberlands retained their CBM interest. Highland Resources, Inc. / North American Resources, Corp. is owner of the Oil & Gas Only.		
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.065 acres 1/60 of 3.89 acres	0.0044%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Heirs pending</i>		
(b.1) Inez B. Kimbrell 225 Raven Circle Raven, VA 24639	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.2) Alice Ruth Meadows 5931 State Route 314 Fredericktown, OH 43019-9225	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.3) Wanda Griffith PO Box 116 Doran, VA 24612	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.4) Ted Allen Baldwin Heirs, Devisees, Successors or Assigns		
(b.4.1) Pansy Baldwin 135 Indian Springs Drive Cedar Bluff, VA 24609-8837	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.5) Sherman Baldwin 1210 Lake Whitten Road North Tazewell, VA 24630	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.6) Marty Baldwin <i>Address Unknown</i>	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.7) Ola Gay Baldwin Arnold Heirs, Devisees, Successors or Assigns		
(b.7.1) Wanda Gay Bohon <i>Address Pending</i>	0.011 acres 1/360 of 3.89 acres	0.0007%
(b.8) D.C. Baldwin Heirs, Devisees, Successors or Assigns		

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Unit BUNE1
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	Net Acres in Unit	Interest in Unit
(b.8.1) Nancy Baldwin Komp 2510 Arthur Road Springfield, OH 45502	0.005 acres 1/720 of 3.89 acres	0.0004%
(b.8.2) Sandy Baldwin Cramer 4460 Dayton Road, Lot 29 Springfield, OH 45502	0.005 acres 1/720 of 3.89 acres	0.0004%
(b.9) Shirley F. Baldwin Heirs, Devisees, Successors or Assigns		
(b.9.1) Donna Foote 9942 Oak Terrace Road Mardela Springs, MD 21837-2060	0.005 acres 1/720 of 3.89 acres	0.0004%
(b.9.2) Pamela Ginger Case 325 2nd Street North Little Rock, AK 72117	0.005 acres 1/720 of 3.89 acres	0.0004%
(b.10) Norman Baldwin Heirs, Devisees, Successors or Assigns		
(b.10.1) Rufus Baldwin 208 High Street Richlands, VA 24641	0.002 acres 1/1800 of 3.89 acres	0.0001%
(b.10.2) David Baldwin P.O. Box 803 Raven, VA 24639	0.002 acres 1/1800 of 3.89 acres	0.0001%
(b.10.3) Michael Baldwin P.O. Box 1044 Raven, VA 24639	0.002 acres 1/1800 of 3.89 acres	0.0001%
(b.10.4) Tammy Baldwin Muir 4480 Clarks Valley Road Swords Creek, VA 24649	0.002 acres 1/1800 of 3.89 acres	0.0001%
(b.10.5) Sharon K. Baldwin c/o SWVA Training Center 160 Training Center Road Hillsville, VA 24343	0.002 acres 1/1800 of 3.89 acres	0.0001%
(b.11) Bane Baldwin Heirs, Devisees, Successors or Assigns		
(b.11.1) Eddie Baldwin 1224 Sunset Drive, PO Box 372 Richlands, VA 24641	0.004 acres 1/1080 of 3.89 acres	0.0002%
(b.11.2) Kathy Whitt 8740 Swords Creek Road Swords Creek, VA 24649	0.004 acres 1/1080 of 3.89 acres	0.0002%
(b.11.3) Lisa Shaver 89 Sevier Street Lebanon, VA 24266-7142	0.004 acres 1/1080 of 3.89 acres	0.0002%

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	Net Acres in Unit	Interest in Unit
(b.12) Marty Arnold c/o Wanda Griffith P.O. Box 116 Doran, VA 24612	0.011 acres 1/360 of 3.89 acres	0.0007%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.4) Darrell Gillespie <i>Address pending</i>	0.032 acres 1/120 of 3.89 acres	0.0022%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.043 acres 1/90 of 3.89 acres	0.0029%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.043 acres 1/90 of 3.89 acres	0.0029%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.130 acres 1/30 of 3.89 acres	0.0087%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609		
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104		
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>		
(f.2) Tom C. Smith Heirs Deceased, no children - no issue		

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Unit BUNE1
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(1483.67 Acre Unit)

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	Net Acres in Unit	Interest in Unit
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	Predeceased Luther & Geraldine Smith	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620		
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649		
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805		
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610		
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
	Total tract acres	3.78
	Total tract percent	0.2549%

Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
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Tract #8B - 48.01 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.01 acres	3.2359%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

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

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.01 acres	3.2359%
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*** NOTE: The Royalty Interest was RETAINED by:

Janet Weatherford
P. O. Box 22483
Alexandria, VA 22304

Tract #8C - 48.22 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.22 acres	3.2500%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

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

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.22 acres	3.2500%
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Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
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*** NOTE: The Royalty interest was RETAINED by:

Clinton Don Wood
Box 309
Frankfort, KY 40602

Tract #9 - 83.27 Acres

COAL OWNERSHIP

<p>(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715</p>	83.27 acres	5.6124%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

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

OIL & GAS OWNERSHIP

<p>(1) S. J. Mullins, et al. Heirs, Devisees, Successors or Assigns</p>	83.27 acres	5.6124%
<p>(a) Stanford J. Mullins, Jr. Heirs, Devisees, Successors or Assigns (1/2)</p>		
<p>(a.1) Mary L. Mullins 580 Forest Hills Drive Pounding Mill, VA 24637</p>	41.64 acres 1/2 of 83.27 acres	2.8062%
<p>(b) Ralph Mullins (1/2)</p>		
<p>(b.1) Stanford Thomas Mullins Address Unknown</p>	41.64 acres 1/2 of 83.27 acres	2.8062%

Total tract acres 83.27
Total tract percent 5.6124%

Tract #11B- 25.91 Acres

COAL OWNERSHIP

<p>(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715</p>	25.91 acres	1.7463%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

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Unit BUNE1
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(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC, et al	25.91 acres	1.7463%
(b) William Tickle, Jr. 1663 Chambers Rd Raven, VA 24639-8413	12.96 acres 1/2 of 25.91 acres	0.8732%
<u>Tract #20 - 10.00 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust <i>Tr ?? (Per map - Tr 25 - 36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	10.00 acres	0.6740%
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.</i>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
Modern Homes Inc., et al. <i>(38 Acre Tract - Modern Homes Inc. - 4/5 & Walter Wade Heirs - 1/5)</i>	10.00 acres	0.6740%
(1) Modern Homes Inc. c/o James E. Childress P.O. Box 22 Vansant, VA 24656	8.00 acres 4/5 of 10.00 acres	0.5392%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.17 acres 1/60 of 10.00 acres	0.0112%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Heirs pending</i>		
(b.1) Inez B. Kimbrell 225 Raven Circle Raven, VA 24639	0.03 acres 1/360 of 10.00 acres	0.0019%

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(b.2) Alice Ruth Meadows 5931 State Route 314 Fredericktown, OH 43019-9225	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.3) Wanda Griffith PO Box 116 Doran, VA 24612	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.4) Ted Allen Baldwin Heirs, Devisees, Successors or Assigns		
(b.4.1) Pansy Baldwin 135 Indian Springs Drive Cedar Bluff, VA 24609-8837	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.5) Sherman Baldwin 1210 Lake Whitten Road North Tazewell, VA 24630	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.6) Marty Baldwin <i>Address Unknown</i>	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.7) Ola Gay Baldwin Arnold Heirs, Devisees, Successors or Assigns		
(b.7.1) Wanda Gay Bohon <i>Address Pending</i>	0.03 acres 1/360 of 10.00 acres	0.0019%
(b.8) D.C. Baldwin Heirs, Devisees, Successors or Assigns		
(b.8.1) Nancy Baldwin Komp 2510 Arthur Road Springfield, OH 45502	0.01 acres 1/720 of 10.00 acres	0.0009%
(b.8.2) Sandy Baldwin Cramer 4460 Dayton Road, Lot 29 Springfield, OH 45502	0.01 acres 1/720 of 10.00 acres	0.0009%
(b.9) Shirley F. Baldwin Heirs, Devisees, Successors or Assigns		
(b.9.1) Donna Foote 9942 Oak Terrace Road Mardela Springs, MD 21637-2060	0.01 acres 1/720 of 10.00 acres	0.0009%
(b.9.2) Pamela Ginger Case 325 2nd Street North Little Rock, AK 72117	0.01 acres 1/720 of 10.00 acres	0.0009%
(b.10) Norman Baldwin Heirs, Devisees, Successors or Assigns		
(b.10.1) Rufus Baldwin 208 High Street Richlands, VA 24641	0.01 acres 1/1800 of 10.00 acres	0.0004%

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(b.10.2) David Baldwin P.O. Box 803 Raven, VA 24639	0.01 acres 1/1800 of 10.00 acres	0.0004%
(b.10.3) Michael Baldwin P.O. Box 1044 Raven, VA 24639	0.01 acres 1/1800 of 10.00 acres	0.0004%
(b.10.4) Tammy Baldwin Muir 4480 Clarks Valley Road Swords Creek, VA 24649	0.01 acres 1/1800 of 10.00 acres	0.0004%
(b.10.5) Sharon K. Baldwin c/o SWVA Training Center 160 Training Center Road Hillsville, VA 24343	0.01 acres 1/1800 of 10.00 acres	0.0004%
(b.11) Bane Baldwin Heirs, Devisees, Successors or Assigns		
(b.11.1) Eddie Baldwin 1224 Sunset Drive, PO Box 372 Richlands, VA 24641	0.01 acres 1/1080 of 10.00 acres	0.0006%
(b.11.2) Kathy Whitt 8740 Swords Creek Road Swords Creek, VA 24649	0.01 acres 1/1080 of 10.00 acres	0.0006%
(b.11.3) Lisa Shaver 89 Sevier Street Lebanon, VA 24266-7142	0.01 acres 1/1080 of 10.00 acres	0.0006%
(b.12) Marty Arnold c/o Wanda Griffith P.O. Box 116 Doran, VA 24612	0.03 acres 1/360 of 10.00 acres	0.0019%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.4) Darrell Gillespie <i>Address pending</i>	0.08 acres 1/120 of 10.00 acres	0.0056%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-06
List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.11 acres 1/90 of 10.00 acres	0.0075%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.11 acres 1/90 of 10.00 acres	0.0075%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.33 acres 1/30 of 10.00 acres	0.0225%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609		
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104		
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns Heirs Unknown		
(f.2) Tom C. Smith Heirs Deceased, no children - no issue		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marle Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	Predeceased Luther & Geraldine Smith	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620		

Exhibit E
 Unit BUNE1
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 List of Owners in escrow
 (1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649		
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805		
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610		
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
Total tract acres	9.72	
Total tract percent	0.6553%	

Tract #21 - 0.80 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust <i>Tr ?? (Per map - Tr 25 - 36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.80 acres	0.0539%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

Torch Oil & Gas Company
 c/o Sue Ann Craddock
 670 Dona Ana Road SW
 Deming, New Mexico 86030

OIL & GAS OWNERSHIP

Pepsico of Norton, Inc., et al. <i>(0.80 Acre Tract - Pepsico of Norton, Inc. - 4/5 & Walter Wade Heirs - 1/5)</i>	0.80 acres	0.0539%
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(1) Pepsico of Norton, Inc. 12th Street & Park Avenue Norton, VA 24273	0.640 acres 4/5 of 0.80 acres	0.0431%
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(2) Walter Wade Heirs

(a) Carl Wade Heirs, Deviseses,
 Successors or Assigns

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.013 acres 1/60 of 0.80 acres	0.0009%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Heirs pending</i>		
(b.1) Inez B. Kimbrell 225 Raven Circle Raven, VA 24639	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.2) Alice Ruth Meadows 5931 State Route 314 Fredericktown, OH 43019-9225	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.3) Wanda Griffith PO Box 116 Doran, VA 24612	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.4) Ted Allen Baldwin Heirs, Devisees, Successors or Assigns		
(b.4.1) Pansy Baldwin 135 Indian Springs Drive Cedar Bluff, VA 24809-8837	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.5) Sherman Baldwin 1210 Lake Whitten Road North Tazewell, VA 24630	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.6) Marty Baldwin <i>Address Unknown</i>	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.7) Ola Gay Baldwin Arnold Heirs, Devisees, Successors or Assigns		
(b.7.1) Wanda Gay Bohon <i>Address Pending</i>	0.002 acres 1/360 of 0.80 acres	0.0001%
(b.8) D.C. Baldwin Heirs, Devisees, Successors or Assigns		
(b.8.1) Nancy Baldwin Komp 2510 Arthur Road Springfield, OH 45502	0.001 acres 1/720 of 0.80 acres	0.0001%
(b.8.2) Sandy Baldwin Cramer 4460 Dayton Road, Lot 29 Springfield, OH 45502	0.001 acres 1/720 of 0.80 acres	0.0001%
(b.9) Shirley F. Baldwin Heirs, Devisees, Successors or Assigns		

Exhibit E
 Unit BUNE1
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 (1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(b.9.1) Donna Foote 9942 Oak Terrace Road Mardela Springs, MD 21837-2060	0.001 acres 1/720 of 0.80 acres	0.0001%
(b.9.2) Pamela Ginger Case 325 2nd Street North Little Rock, AK 72117	0.001 acres 1/720 of 0.80 acres	0.0001%
(b.10) Norman Baldwin Heirs, Devisees, Successors or Assigns		
(b.10.1) Rufus Baldwin 208 High Street Richlands, VA 24641	0.000 acres 1/1800 of 0.80 acres	0.0000%
(b.10.2) David Baldwin P.O. Box 803 Raven, VA 24639	0.000 acres 1/1800 of 0.80 acres	0.0000%
(b.10.3) Michael Baldwin P.O. Box 1044 Raven, VA 24639	0.000 acres 1/1800 of 0.80 acres	0.0000%
(b.10.4) Tammy Baldwin Muir 4480 Clarks Valley Road Swords Creek, VA 24649	0.000 acres 1/1800 of 0.80 acres	0.0000%
(b.10.5) Sharon K. Baldwin c/o SWVA Training Center 160 Training Center Road Hillsville, VA 24343	0.000 acres 1/1800 of 0.80 acres	0.0000%
(b.11) Bane Baldwin Heirs, Devisees, Successors or Assigns		
(b.11.1) Eddie Baldwin 1224 Sunset Drive, PO Box 372 Richlands, VA 24641	0.001 acres 1/1080 of 0.80 acres	0.0000%
(b.11.2) Kathy Whitt 8740 Swords Creek Road Swords Creek, VA 24649	0.001 acres 1/1080 of 0.80 acres	0.0000%
(b.11.3) Lisa Shaver 89 Sevier Street Lebanon, VA 24266-7142	0.001 acres 1/1080 of 0.80 acres	0.0000%
(b.12) Marty Arnold c/o Wanda Griffith P.O. Box 116 Doran, VA 24612	0.002 acres 1/360 of 0.80 acres	0.0001%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.4) Darrell Gillespie <i>Address pending</i>	0.007 acres 1/120 of 0.80 acres	0.0004%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.009 acres 1/90 of 0.80 acres	0.0006%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.009 acres 1/90 of 0.80 acres	0.0006%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.027 acres 1/30 of 0.80 acres	0.0018%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609		
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104		
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>		
(f.2) Tom C. Smith Heirs Deceased, no children - no issue		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.007 acres 1/120 of 0.80 acres	0.0004%

Exhibit E
Unit BUNE1
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List of Owners in escrow
(1483.67 Acre Unit)

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	Net Acres in Unit	Interest in Unit
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	Predeceased Luther & Geraldine Smith	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620		
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649		
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805		
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610		
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681		
	Total tract acres	0.78
	Total tract percent	0.0524%

Tract #22 - 5.00 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust <i>Tr ?? (Per map - Tr 25 - 36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6716	5.00 acres	0.3370%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Asset Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474.

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-06
List of Owners in escrow
(1463.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	5.00 acres	0.3370%
	Total Acreage in Unit	214.9453
	Total Percentage in Unit	14.4874%

Exhibit EE
Unit BUNE1

Docket #VGOB 91-1119-0161-06

150000531

List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Esrow
<u>Tract #3 - 526.17 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 23 (557.25 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	526.17 acres	35.4641%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	526.17 acres	35.4641%	n/a
<u>Tract #3A - 2.61 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 23 (557.25 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.61 acres	0.1758%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	2.61 acres	0.1758%	n/a
<u>Tract #5 - 3.30 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 25 (36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	3.30 acres	0.2224%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			0.0212%

Docket #VGOB 91-1119-0161-06
List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
Lida Vandyke, et al. <i>(8.72 Acre Tract - Lida Vandyke - 4/5 & Walter Wade Heirs - 1/5)</i>	3.30 acres	0.2224%	
(2) Walter Wade Heirs			
(a) Carl Wade Heirs, Devisees, Successors or Assigns			
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns			
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.028 acres 1/120 of 3.30 acres	0.0019%	0.0064%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.028 acres 1/120 of 3.30 acres	0.0019%	0.0064%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns			
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.037 acres 1/90 of 3.30 acres	0.0025%	0.0085%
	Total tract acres 0.092		
	Total tract percent 0.0062%		

Tract #5A - 3.89 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust
Tr 25 (36.00 acre tract)
c/o Alan Siegel, Esq.
Gump, Strauss, Akin LLP
1 Bryant Park
New York, NY 10034-6715

3.89 acres

0.2622%

By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

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

0.0250%

OIL & GAS OWNERSHIP

Yukon Pocahontas Coal Co., et al
(Yukon Pocahontas Coal Co., et al - 4/5 & Walter Wade Heirs - 1/5)

3.89 acres

0.2622%

(2) Walter Wade Heirs

Exhibit EE
Unit BUNE1
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List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a) Carl Wade Heirs, Devises, Successors or Assigns			
(a.2) Gaylene Deskins Heirs, Devises, Successors or Assigns			
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.032 acres 1/120 of 3.89 acres	0.0022%	0.0075%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.032 acres 1/120 of 3.89 acres	0.0022%	0.0075%
(d) Glayds Ida Boyd Heirs, Devises, Successors or Assigns			
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.043 acres 1/90 of 3.89 acres	0.0029%	0.0100%
	Total tract acres	0.108	
	Total tract percent	0.0073%	

Tract #8A - 65.64 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (656.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	65.64 acres	4.4242%	
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
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OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	65.64 acres	4.4242%	n/a
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Tract #10 - 103.33 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 6 (226.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	103.33 acres	6.9645%	
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Exhibit EE
Unit BUNE1
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List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

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

n/a

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC
1000 Consol Energy Drive
Canonsburg, PA 15317

103.33 acres

6.9645%

n/a

Tract #11 - 35.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust
Tr 17 (632.50 acre tract)
c/o Alan Siegel, Esq.
Gump, Strauss, Akin LLP
1 Bryant Park
New York, NY 10036-6715

35.60 acres

2.3995%

By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

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

n/a

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC
1000 Consol Energy Drive
Canonsburg, PA 15317

35.60 acres

2.3995%

n/a

Tract #11A- 16.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust
Tr 17 (632.50 acre tract)
c/o Alan Siegel, Esq.
Gump, Strauss, Akin LLP
1 Bryant Park
New York, NY 10036-6715

16.60 acres

1.1188%

By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

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

n/a

OIL & GAS OWNERSHIP

William Tindle, Jr. & Ruth Stump conveyed to Consol Energy Inc. by Deed dated 4/2/01, recorded at DB 521/ PG 631

Exhibit EE
Unit BUNE1
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List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	16.60 acres	1.1188%	n/a
<u>Tract #11B- 25.91 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 17 (632.50 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	25.91 acres	1.7483%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC, et al	25.91 acres	1.7463%	
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	12.96 acres 1/2 of 25.91 acres	0.8732%	n/a
<u>Tract #11C - 2.38 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 17 (632.50 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.38 acres	0.1604%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 106 Bexley Road Mooresville, NC 28117	2.38 acres	0.1604%	n/a

Exhibit EE

Unit BUNE1

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List of Respondents with Royalty Split Agreements and/or Court Orders
(1463.67 Acre Unit)

150000531

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #12 - 20.44 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 10 (398.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	20.44 acres	1.3777%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) L. Mutter Heirs, Devises, Successors or Assigns			
(a) Eric Mutter, Jr.			
(a.1) Ira C. Mutter, et ux. Box 326 Rich Creek, VA 24147	20.44 acres	1.3777%	n/a
<i>Torch Oil & Gas Company received a one-time payout from escrow of 25% and Ira Mutter 75%. After escrow is disbursed, Ira Mutter will receive 100% direct payments.</i>			
<u>Tract #13A - 0.94 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust <i>Tr 10 (398.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.94 acres	0.0634%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<i>Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company received a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.</i>			
<u>OIL & GAS OWNERSHIP</u>			
(1) Fern Duecaster 518 Clinton Street Ravenna, OH 44266	0.94 acres	0.0634%	n/a
<i>Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company received a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.</i>			

List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres In Unit	Interest in Unit	Percent of Escrow
<u>Tract #13B - 0.34 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.34 acres	0.0229%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			0.0116%
<i>Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.</i>			
<u>OIL & GAS OWNERSHIP</u>			
(1) Kimberly R. Tucker (aka Kimberly R. Davis) 3930 McNaul Road Mansfield, OH 44903	0.34 acres	0.0229%	0.1457%
<i>Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.</i>			
<u>Tract #13C - 0.04 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.04 acres	0.0027%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a

List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company received a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

OIL & GAS OWNERSHIP

(1) Monta Mutter 16713 Recreation Drive Lake Milton, OH 44429	0.04 acres	0.0027%	n/a
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company received a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #14 - 201.08 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 24 (252.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	201.08 acres	13.5529%	
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
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OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	201.06 acres	13.5529%	n/a
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Tract #15 - 9.35 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	9.35 acres	0.6302%	
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
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Exhibit EE
Unit BUNE1

Docket #VGOB 91-1119-0161-06

List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net 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	9.35 acres	0.6302%	n/a
<u>Tract #16 - 56.90 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	56.90 acres	3.8351%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	56.90 acres	3.8351%	n/a
<u>Tract #17 - 23.22 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	23.22 acres	1.5850%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	23.22 acres	1.5850%	n/a

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-06
List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #18 - 6.98 Acres</u>			
COAL OWNERSHIP			
(1) Hugh Macrae Land Trust <i>Tr 10 (398.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	6.98 acres	0.4705%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			n/a
OIL & GAS OWNERSHIP			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	6.98 acres	0.4705%	n/a
<u>Tract #20 - 10.00 Acres</u>			
COAL OWNERSHIP			
(1) Hugh Macrae Land Trust <i>Tr ?? (Per map - Tr 25 - 36.00 acre tract)</i> c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	10.00 acres	0.6740%	
<i>By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			0.0644%
OIL & GAS OWNERSHIP			
Modern Homes Inc., et al. <i>(38 Acre Tract - Modern Homes Inc. - 4/E & Walter Wade Heirs - 1/S)</i>	10.00 acres	0.6740%	
(2) Walter Wade Heirs			
(a) Carl Wade Heirs, Devises, Successors or Assigns			
(a.2) Gaylene Deskins Heirs, Devises, Successors or Assigns			
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.083 acres 1/120 of 10.00 acres	0.0056%	0.0193%

Exhibit EE
Unit BUNE1

150000531

Docket #VGOB 91-1119-0161-06
List of Respondents with Royalty Split Agreements and/or Court Orders
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.083 acres 1/120 of 10.00 acres	0.0056%	0.0193%
(d) Glayds Ida Boyd Heirs, Devises, Successors or Assigns			
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.111 acres 1/90 of 10.00 acres	0.3075%	0.0257%
Total tract acres	0.278		
Total tract percent	0.0187%		

Tract #21 - 0.80 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust <i>Tr ?? (Per map - Tr 25 - 56.00 acre tract)</i> c/o Alen Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.80 acres	0.0539%	
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG386.

Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			0.0051%
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OIL & GAS OWNERSHIP

Pepsico of Norton, Inc., et al. <i>(0.80 Acre Tract - Pepsico of Norton, Inc. - 4/5 & Walter Wade Heirs - 1/5)</i>	0.80 acres	0.0539%	
(2) Walter Wade Heirs			
(a) Carl Wade Heirs, Devises, Successors or Assigns			
(a.2) Gaylene Deskins Heirs, Devises, Successors or Assigns			
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.007 acres 1/120 of 0.80 acres	0.0004%	0.0015%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.007 acres 1/120 of 0.80 acres	0.0004%	0.0015%
(d) Glayds Ida Boyd Heirs, Devises, Successors or Assigns			
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.009 acres 1/90 of 0.80 acres	0.0006%	0.0021%
Total tract acres	0.022		
Total tract percent	0.0015%		

	TOTALS:		
Total Acreage Resolved	1069.2400		
Total Percentage Resolved		72.0672%	

VIRGINIA:

IN THE CIRCUIT COURT OF BUCHANAN COUNTY

IRA C. MUTTER)

and)

ERNEST L. MUTTER)

and)

ANDREW D. MUTTER)

and)

DANNY BLANKENSHIP)

and)

FERN DUECASTER, FERREL W. MUTTER,)
WILLIAM S. MUTTER, LYDIA COLEMAN,)
MONDA G. MUTTER, WANDA PADGETTE,)
OLGA DAVIS, and DALLAS HESS, Equal share heirs of)
Roy C. Mutter, deceased,)

Plaintiffs)

v.)

HUGH McCRAE LAND TRUST,)
TORCH ENERGY ADVISERS, INC.,)

and)

CNX GAS COMPANY, LLC,)

Defendants)

Case No. 07000420-00

FINAL ORDER

THIS DAY came the parties to this action, by counsel, upon Plaintiffs' Motion for Judgment pursuant to Declaratory Judgment Act, Virginia Code 8.01-184, whereby Plaintiffs moved the Court to declare their collective ownership of CBM gas (hereinafter, "CBM"), and represented to the Court the following findings:

(a) Plaintiffs, Ira C. Mutter *et al* (hereinafter, "Plaintiffs"), are each owners, either individually or in conjunction with each other, of all those certain tracts of land (hereinafter, "the Real Estate") described by vesting deeds submitted as Exhibits A through D to Plaintiffs' Motion for Declaratory Judgment in this matter and attached hereto, or as heirs, devisees, and successors or assigns thereof; and said Plaintiffs are also each the owners, either individually or in conjunction with each other, of all the surface, oil and gas, and other mineral rights incident thereto (hereinafter, "the Subject Rights"), with the exception of the severance of coal rights pursuant to a certain coal severance deed (hereinafter, "the Severance Deed"), also submitted as Exhibit E to Plaintiffs' said motion and attached hereto; and said lands are the Real Estate contained wholly or partially within Drilling Unit Y-26, the subject drilling unit herein, as indicated in the Virginia Gas and Oil Board Report, VGOB 01-918-0923, filed in the Buchanan County Circuit Court Clerk's Office at Deed Book 537, Page 654, and recorded in said office on January 11, 2002 (hereinafter, "the Subject Drilling Unit"); and as said owners of the Real Estate and Subject Rights, Plaintiffs claim ownership of the disputed CBM gas fee rights (hereinafter, "CBM Rights") and currently escrowed funds associated with said rights (hereinafter, "the Funds").

(b) William B. Cocke, Jr., Esq. and Alan Siegel, Esq., Trustees for Defendant Hugh McCrae Land Trust (hereinafter, "HMLT"), are the successors in title to the coal rights described in the Severance Deed, where the grantors therein conveyed to the grantees therein all the coal on and under the Real Estate, except for ten acres around the dwelling house, as described in the

Severance Deed, whereby HMLT owns the coal on and under the Real Estate together with the rights incident thereto.

c) As coal owner, HMLT entered into a CBM lease for the production of CBM on acreage that includes the Real Estate. HMLT subsequently assigned its rights to receive payment for royalties on CBM production to Defendant, Torch Energy Advisers, Inc. (hereinafter, "TEA"), pursuant to Acquisition Agreement by and between HMLT and TEA dated December 29, 1997. A conflict exists as to the ownership of the CBM produced from the Real Estate and the royalties associated therewith.

(d) Defendant CNX Gas Company, LLC (hereinafter, "CNX") is the unit operator authorized to drill and operate the CBM well(s) on the Subject Drilling Unit and is the successor lessee of gas, including CBM and certain other extraction rights in said drilling unit, and has no claim of ownership to the Funds or future royalties produced from CBM gas sales attributed to the Real Estate.

(e) For a period of years, CBM has been commercially produced and attributed to the Real Estate at issue; and, pursuant to Virginia law, the royalties from the sale of such CBM have been escrowed under the direction of the Virginia Gas and Oil Board (hereinafter, "VGOB") pending a determination as to the ownership of the CBM in the Subject Drilling Unit.

(f) With regard to the Real Estate at issue, the ownership of CBM is simply a question of whether it is owned by Plaintiffs in this matter, who, along with their predecessors in title, have never separately severed the gas or mineral interests associated with the Real Estate except for the coal.

(g) In settlement of the dispute in this matter, Defendant TEA relinquishes its claim to the CBM Rights and the Funds, and Plaintiffs and Defendant TEA agree that 7.5% of the Funds, escrowed as of the date that such funds are distributed pursuant to this Order, shall be made payable

and distributed to TEA. Plaintiffs and Defendant TEA further agree that the remainder of the Funds, as well as all future royalty payments from the sale of CBM gas production attributed to the Real Estate, shall be paid to Plaintiffs in proportion to their individual ownership. TEA waives and releases any further claim to said royalties and funds.

(h) Defendants HMLT and CNX make no claim to the CBM Rights, the Funds currently escrowed, nor to any future royalties related to the sale of CBM attributed to the Real Estate.*

UPON CONSIDERATION of the aforementioned findings, it is hereby ADJUDGED, ORDERED, AND DECREED as follows:

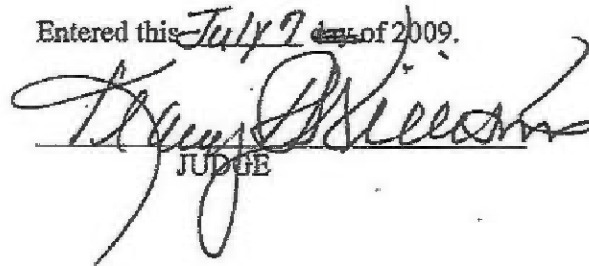
1. As between the parties hereto, and in the acreage amounts reflected in the attached deeds, Plaintiffs are the owners of CBM and natural gas on, under or produced from the Real Estate.

2. This Order is the final order adjudicating and declaring Plaintiffs' rights to the CBM associated with the Real Estate at issue. Upon application to VGOB and presentation of this Order to said Board, TEA shall be paid 7.5% of the Funds held in escrow at the time of such application and Plaintiffs shall be paid the remainder of such Funds and all future funds and royalties from the production of CBM attributable to the Real Estate according to each Plaintiff's individual interest as shown in any existing or revised Pooling Order by VGOB. Distribution of escrowed funds shall be made on or before the time period specified by Virginia law, and all future funds and royalties shall inure only to Plaintiffs according to each Plaintiff's aforementioned individual interest.

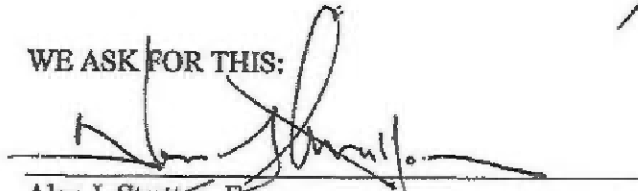
There being nothing further for consideration in this matter, the Court hereby FURTHER ORDERS the Clerk to provide attested copies of this Order to all counsel of record and this matter is stricken from the docket.

*except that CNX claims such rights as successor lessee of the CBM estate and as unit operator for the subject drilling unit as to which it is entitled and the royalty rights associated therewith.

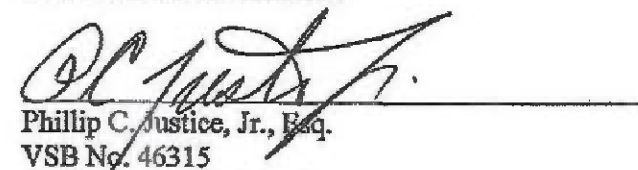
Entered this July 7 ~~day~~ of 2009.


JUDGE

WE ASK FOR THIS:

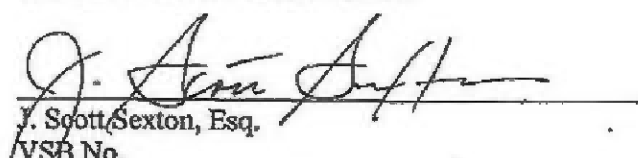


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Lead Counsel for Plaintiffs



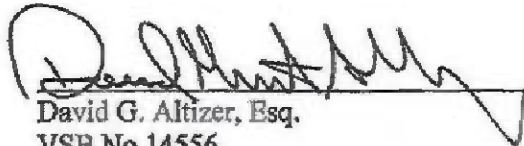
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Co-Counsel for Plaintiffs

SEEN WITHOUT OBJECTION:

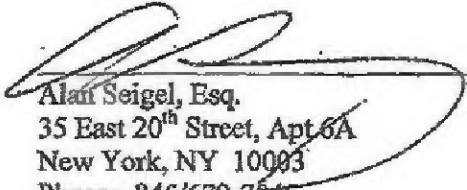


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Counsel for Defendant Torch Energy Advisers, Inc.

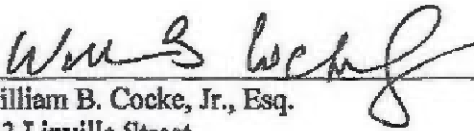
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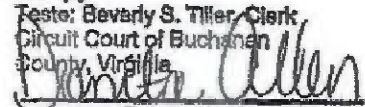


Alan Seigel, Esq.
35 East 20th Street, Apt 6A
New York, NY 10003
Phone: 845/679-7645
Trustee for Hugh McCrae Land Trust



William B. Cocke, Jr., Esq.
443 Linville Street
Newland, NC 28657
Phone: 828/733-6061
Trustee for Hugh McCrae Land Trust

RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY VA
APRIL 6 2015 AT 02:13PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB

A Copy
Teste: Beverly S. Tiller, Clerk
Circuit Court of Buchanan
County, Virginia


INSTRUMENT # 150000531
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
APRIL 6, 2015 AT 02:13PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB

5/12
accruals
updated

INSTRUMENT #150000531
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BUCHANAN COUNTY ON
APRIL 6, 2015 AT 02:13PM
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