

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO.: VGOB 09-0317-2488-01

RELIEF SOUGHT: RE-POOLING

LOCATION: SEE EXHIBITS "A" AND "A1"

HEARING DATE: December 17, 2013

UNIT NUMBER: X(-2)

IN THE OAKWOOD COALBED METHANE GAS FIELD 1

BUCHANAN COUNTY, VIRGINIA

APPLICATION

1. **Applicant and its counsel:** Applicant is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6500. Applicant's counsel is Mark A. Swartz, Esquire, of the firm Swartz Law Offices, PLLC, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** Re-Pooling

3. **Legal Authority:** Va. Code Ann. §45.1-361.1 et seq. 4 VAC 25-160-10 et seq. and relevant Virginia Gas and Oil Board Orders heretofore promulgated pursuant to law including OGCB 3-90; VGOB-91-1119-162; VGOB 92/02/16-0336; and VGOB 93/03/16-0349.

4. **Type of well(s):** Coalbed methane, including increased density wells as required by mining plans.

5. **Permit numbers, if any:** CBM X(-2) Permit #10203, CBM X(-2)A Permit #11319

6. **Plat:** Annexed hereto are Exhibit A and the Tract Identifications for Exhibit A. The Plat shows the size and shape of the unit and the boundaries of the tracts within the unit. The plat is certified by a licensed professional engineer and is attested by the undersigned on behalf of the applicant to be in conformity with existing orders issued by the Board.

7. **Status of interests to be re-pooled and Applicant' standing:** The respondents whose interests are sought to be re-pooled by the Applicant are:

Levisa Coal Company; ACIN LLC; Fairview Limited Partnership, Carol C. Irvin, F.H. Combs Testamentary Trust, Martha E. Combs, John W. Pobst, Jr., Virginia Lee Linwick, Richard K. Pobst, Catherine Pobst c/o Lynn R. Quick, Meredith E. Jennings; Yellow Poplar Lumber Company; Range Resources-Pine Mountain, Inc.; EQT Production Company

Further, said respondents are listed in Exhibit B-3 hereto which describes their interests/claims. The respondents and others whose interests are subject to escrow under §45.1-361.21.D. are identified at Exhibit E. The annexed Exhibit A, page 2, sets forth the total interest(s) held by Applicant in the unit.

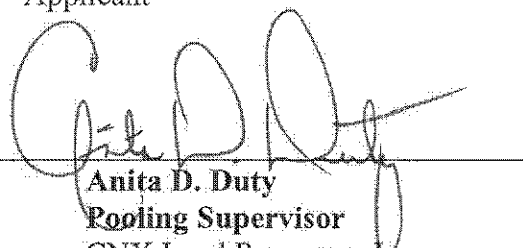
8. **Formation(s) to be produced and estimates:** All coal seams and associated strata below the Tiller seam of coal all as more particularly described in the annexed proposed order. The estimated total production from subject unit is 125 to 550 MMCF. The estimated amount of reserves from the subject drilling unit is 125 to 550 MMCF. These figures concerning estimated production and the amount of reserves are, however, estimates only that are not based upon actual production and should not be relied upon for any purpose. It should not be assumed that final production before plugging and abandonment will equal estimated reserves.

9. **Estimate of allowable costs:** Well CBM-X(-2), \$304,503.37; Well CBM-X(-2)A, \$298,671.27 (Total - \$603,174.64). See Exhibit C which estimates/reports the costs associated with one frac well. To the extent additional wells may be required by mine plans in the Buchanan No. 1 Mine, the costs of any such additional wells as may be permitted by the Division of Gas and Oil, in accordance with the provisions of §45.1-361.20.C., Code of Virginia, will not be allocated for frac well production to the subject unit by the Operator.

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

CNX Gas Company LLC
Applicant

By: _____



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

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO. VGOB 09-0317-2488-01

RELIEF SOUGHT: RE-POOLING

UNIT NUMBER: X(-2)

NOTICE OF HEARING

HEARING DATE: December 17, 2013
PLACE: Russell County Conference Center
135 Highlands Drive
Lebanon, Virginia 24266
TIME: 9:00 AM

COMMONWEALTH OF VIRGINIA:

To: *Levisa Coal Company; ACIN LLC; Fairview Limited Partnership, Carol C. Irvin, F.H. Combs Testamentary Trust, Martha E. Combs, John W. Pobst, Jr., Virginia Lee Linwick, Richard K. Pobst, Catherine Pobst c/o Lynn R. Quick, Meredith E. Jennings; Yellow Poplar Lumber Company; Range Resources-Pine Mountain, Inc.; EQT Production Company*

1. **Applicant and its counsel:** Applicant is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6500. Applicant's counsel is Mark A. Swartz, Esquire, of the firm Swartz Law Offices, PLLC, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** Re-Pooling

3. **Proposed provisions of order:** (a) Re-Pooling all the interests and estates of the persons named above in coalbed methane in the unit in question; (b) Establishing a procedure whereby each respondent shall have the right to make elections; (c) Providing that any respondent who does not make a timely election shall be deemed to have leased or assigned his coalbed methane gas interests to the applicant at a rate to be established by the Board; (d) Designating CNX Gas Company LLC as Unit Operator; (e) Making any necessary provisions for the escrow of funds; (f) Granting such other relief as is merited by the evidence and is just and equitable, whether or not such relief has been specifically requested herein.

4. **Legal Authority:** Va. Code Ann. §45.1-361.1 et seq. 4 VAC 25-160-10 et seq. and relevant Virginia Gas and Oil Board Orders heretofore promulgated pursuant to law including OGCB 3-90; VGOB-91-1119-162; VGOB 92/02/16-0336; and VGOB 93/03/16-0349.

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

6. **Plat:** Annexed hereto are Exhibit A, Exhibit A1 and the Tract Identifications for Exhibit A. The Plat shows the size and shape of the unit and the boundaries of the tracts within the unit. The Tract Identification page shows the percentage of acreage in each tract. The plat is certified by a licensed professional engineer and is attested by the undersigned on behalf of the applicant to be in conformity with existing orders issued by the Board.

7. Your interest or claim sought to be re-pooled by this Application pertains to coalbed methane gas.

8. Formation(s) to be produced and estimates: All coal seams and associated strata below the Tiller seam of coal all as more particularly described in the annexed proposed order. The estimated total production from subject unit is 125 to 550 MMCF. The estimated amount of reserves from the subject drilling unit is 125 to 550 MMCF. These figures concerning estimated production and the amount of reserves are, however, estimates only that are not based upon actual production and should not be relied upon for any purpose. It should not be assumed that final production before plugging and abandonment will equal estimated reserves.

9. Estimate of allowable costs: Well CBM-X(-2), \$304,503.37; Well CBM-X(-2)A, \$298,671.27 (Total - \$603,174.64)

10. Attestation: The foregoing application to the best of my knowledge, information, and belief is true and correct.

NOTICE IS FURTHER GIVEN that this cause has been set for hearing and the taking of evidence before the Board at 9:00 AM, on **December 17, 2013**, at the Russell County Conference Center, Lebanon, Virginia 24266, and that notice will be published as required by law and the rules of the Board.

NOTICE IS FURTHER GIVEN that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the application and exhibits, either contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P. O. Box 159, Lebanon, Virginia 24266, 276/415-9650 or the Applicant at the address shown below.

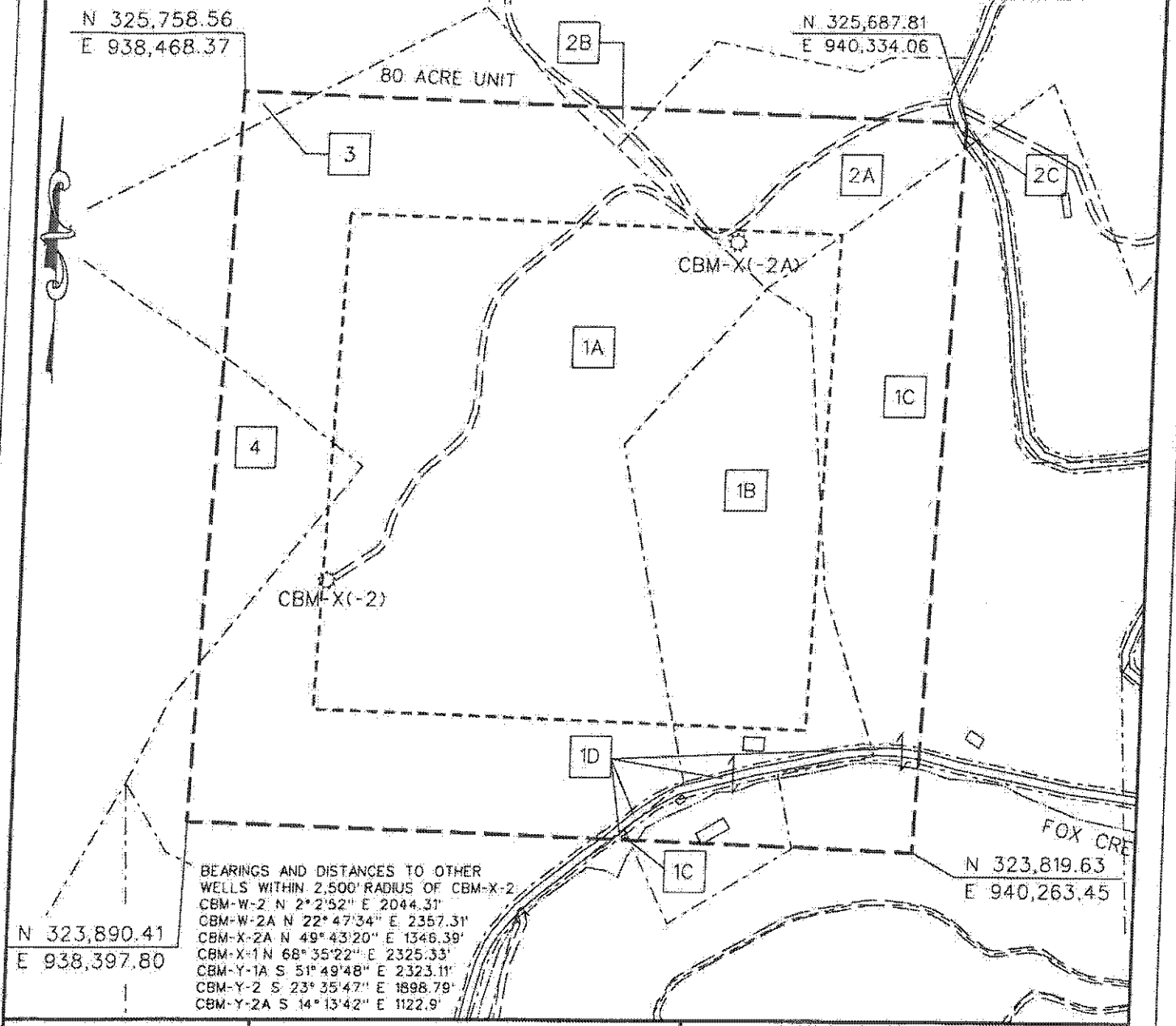
DATED: 11/15/13

CNX Gas Company LLC
Applicant

By: 

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

Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-X(-2):
 CBM-W-2 N 2° 2' 52" E 2044.31'
 CBM-W-2A N 22° 47' 34" E 2357.31'
 CBM-X-2A N 49° 43' 20" E 1346.39'
 CBM-X-1 N 68° 35' 22" E 2325.33'
 CBM-Y-1A S 51° 49' 48" E 2323.11'
 CBM-Y-2 S 23° 35' 47" E 1898.79'
 CBM-Y-2A S 14° 13' 42" E 1122.9'

☀ CBM WELL
 ⊕ PROPOSED CBM WELL

EXHIBIT A
 OAKWOOD FIELD
 UNIT X(-2)
 FORCE POOLING
 VGOB 09-0317-2488-01

Company CNX Gas Company LLC Well Name and Number UNIT X(-2)

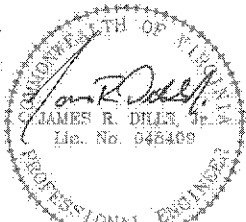
Tract No. _____ Elevation _____ Quadrangle PRATER

County BUCHANAN District PRATER Date: Digitally signed by James R Dills Jr.

This plat is a new plat _____ on update _____

Form DGD-60-7
 Rev. 9/91

Licensed Professional Eng



DR: James R Dills Jr., e-US,
 o=IdenTrust ACES Business
 Representative, ANDRUS PRICE
 ENGINEERING AND LAND
 SURVEYING INC PC
 Date: 2013.08.02 11:25:06 -04'00'

CNX Gas Company LLC

UNIT X(-2)

Tract Identifications

1. Levisa Coal Company, Tract 36 (861.47 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
70.79 acres 88.4875%
- 1A. Stella Breeding – Surface Owner
- 1B. Unknown Surface Owner
- 1C. Unknown Surface Owner
- 1D. Commonwealth of Virginia – Surface Owner
2. Levisa Coal Company, Tract 24 (672.73 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
5.56 acres 6.9500%
- 2A. Unknown Surface Owner
- 2B. Unknown Surface Owner
- 2C. Commonwealth of Virginia – Surface Owner
3. Levisa Coal Company, Tract 26 (230.81 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Unknown Surface Owner
0.22 acres 0.2750%
4. ACIN, LLC (2053.22 Acre Tract) – Coal
Alpha Land Reserves, LLC – Coal Leased
Range Resources – Pine Mountain – Oil
Yellow Poplar Lumber Company – Gas
EQT Production Company (50%)/Range Resources-Pine Mountain (50%) – Oil Leased
Heartwood Forestland Fund IV, L.P. – Surface
3.43 acres 4.2875%

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

Exhibit B
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of all Owners/Claimants

	Acres in Unit	Percent of Unit
I. COAL OWNERSHIP		
<u>Tract #1 - 70.79 acres</u>		100.0000%
(1) Levisa Coal Company Tr. 36 (861.47 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	70.79 acres	88.4875%
<u>Tract #2 - 5.56 acres</u>		
(1) Levisa Coal Company Tr. 24 (672.73 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	5.56 acres	6.9500%
<u>Tract #3 - 0.22 acres</u>		
(1) Levisa Coal Company Tr. 26 (230.81 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.22 acres	0.2750%
<u>Tract #4 - 3.43 acres</u>		
(1) ACIN LLC (2053.22 Acre Tract) c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	3.43 acres	4.2875%
II. OIL & GAS OWNERSHIP		
<u>Tract #1 - 70.79 acres</u>		100.0000%
(1) John W. Pobst, Jr., et al. (861.47 Acre Tract)	70.79 acres	88.4875%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	17.70 acres 1/4 of 70.79 acres	22.1219%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	5.90 acres 1/12 of 70.79 acres	7.3740%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	5.90 acres 1/12 of 70.79 acres	7.3740%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	5.90 acres 1/12 of 70.79 acres	7.3740%

Exhibit B
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of all Owners/Claimants

	Acres in Unit	Percent of Unit
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	5.90 acres 1/12 of 70.79 acres	7.3740%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	5.90 acres 1/12 of 70.79 acres	7.3740%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	11.80 acres 1/6 of 70.79 acres	14.7479%
<u>Tract #2 - 5.56 acres</u>		
(1) John W. Pobst, Jr., et al. (672.73 Acre Tract)	5.56 acres	6.9500%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	1.39 acres 1/4 of 5.56 acres	1.7375%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.46 acres 1/12 of 5.56 acres	0.5792%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.46 acres 1/12 of 5.56 acres	0.5792%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.46 acres 1/12 of 5.56 acres	0.5792%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.46 acres 1/12 of 5.56 acres	0.5792%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.46 acres 1/12 of 5.56 acres	0.5792%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.93 acres 1/6 of 5.56 acres	1.1583%
<u>Tract #3 - 0.22 acres</u>		
(1) John W. Pobst, Jr., et al. (230.61 Acre Tract)	0.22 acres	0.2750%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.06 acres 1/4 of 0.22 acres	0.0688%

Exhibit B
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of all Owners/Claimants

	Acres in Unit	Percent of Unit
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.02 acres 1/12 of 0.22 acres	0.0229%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.02 acres 1/12 of 0.22 acres	0.0229%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.02 acres 1/12 of 0.22 acres	0.0229%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.02 acres 1/12 of 0.22 acres	0.0229%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.02 acres 1/12 of 0.22 acres	0.0229%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.04 acres 1/6 of 0.22 acres	0.0458%

Tract #4 - 3.43 acres

(1) Yellow Poplar Lumber Company* (Gas interest only) Address Unknown	3.43 acres	4.2875%
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* The Oil interest is leased by Range Resources-Pine Mountain Inc. (50%) and EQT Production Company (50%).
RRPM previously participated with this interest, but later realized they didn't own the property.

Exhibit B-3
 Unit X(-2)
 Docket #VGOB 09-0317-2488-01
 List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
I. COAL OWNERSHIP			
<u>Tract #4 - 3.43 acres</u>			
(1) ACIN LLC (2053.22 Acre Tract) c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	3.43 acres	4.2875%	Deemed Leased

II. OIL & GAS OWNERSHIP

Tract #4 - 3.43 acres

(1) Yellow Poplar Lumber Company* (Gas interest only). Address Unknown.	3.43 acres	4.2875%	Deemed Leased
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* The Oil interest is leased by Range Resources-Pine Mountain Inc. (50%) and EQT Production Company (50%).
 RRRPM previously participated with this interest, but later realized they didn't own the property.

TOTAL UNLEASED:

Acreage in Unit	3.43
Percentage of Unit	4.2875%

EXHIBIT C
 UNIT: X(-2) / Well X(-2A)
 VGOB: 09-0317-2488
 ESTIMATED/ACTUAL COST

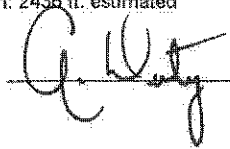
CODE	ITEM	AMOUNT / FT.	UNIT PRICE \$ / FT.	LABOR / MISC.	SUBTOTAL	TOTAL
101	Site Preparation				\$30,000.00	\$30,000.00
102	Survey & Permits				\$9,500.00	\$9,500.00
104	Gravel for Location				\$0.00	\$0.00
108	Row Clearing				\$0.00	\$0.00
111	Logging/Perf				\$0.00	\$0.00
111	A: Electric Logging - Top Hole	250	\$1.25	\$350.00	\$662.50	\$662.50
111	C: Electric Logging - Bottom Hole	2186	\$1.25	\$350.00	\$3,082.50	\$3,082.50
	D: Bond Logging				\$1,000.00	\$1,000.00
112	Rental Tools				\$0.00	\$0.00
114	Cement & Cement Svcs.				\$14,800.00	\$14,800.00
116	Drilling :					
116	A : DRILLING					
	MOBILIZATION	1	\$1,850.00		\$1,850.00	\$1,850.00
	15" DRILLING	25	\$17.58		\$439.50	\$439.50
	CASING RUN	25	\$1.03		\$25.75	\$25.75
	12 1/4" DRILLING	225	\$17.58		\$3,955.50	\$3,955.50
	CASING RUN	250	\$0.85		\$212.50	\$212.50
	8 3/4" DRILLING	0	\$17.58		\$0.00	\$0.00
	CASING RUN	0	\$0.85		\$0.00	\$0.00
	8 1/2" DRILLING	2186	\$17.58		\$38,429.88	\$38,429.88
	CASING RUN	0	\$0.57		\$0.00	\$0.00
	STANDBY	0	\$255.15		\$0.00	\$0.00
	DOZER	5	\$75.00		\$375.00	\$375.00
116A	B : CASING					
116B	1: 13 3/8"	0	\$67.50		\$0.00	\$0.00
116C	2: 9 5/8"	0	\$20.20		\$0.00	\$0.00
116D	3: 7"	0	\$12.40		\$0.00	\$0.00
120	Trucking				\$5,000.00	\$5,000.00
124	Packer w/ Fittings,Baffles				\$0.00	\$0.00
128	Pit Liner & Reclamation				\$5,300.00	\$5,300.00
130	Completion				\$12,500.00	\$12,500.00
132	Treatment (Frac)				\$80,000.00	\$80,000.00
134	Frac Water				\$0.00	\$0.00
138	Electrical Installation				\$22,500.00	\$22,500.00
178	Right of Way & Damages				\$5,000.00	\$5,000.00
186	Miscellaneous Labor				\$288.00	\$288.00
201	Production Casing	2375	\$13.20		\$31,350.00	\$31,350.00
203	Casing Other				\$0.00	\$0.00
205	Casing Head - 7" x 4 1/2"				\$416.85	\$416.85
205	Casing Head - 4 1/2" x 2 3/8"				\$193.29	\$193.29
207	Pumping Unit				\$10,098.00	\$10,098.00
209	Controllable Material				\$0.00	\$0.00
211	Tubing/Rods	2450	\$6.90		\$16,905.00	\$16,905.00
213	Pumping Unit Base				\$0.00	\$0.00
217	Downhole Pump				\$1,100.00	\$1,100.00
221	Brine Tank				\$0.00	\$0.00
223	Misc. Valves & Fittings				\$0.00	\$0.00
224	Well Pkges/Downhole Pump				\$3,089.00	\$3,089.00
225	Misc. Noncontrol Mat				\$0.00	\$0.00
228	Electrical Installation				\$0.00	\$0.00
264	Separator				\$0.00	\$0.00
268	Brine Tanks				\$0.00	\$0.00
288	Valves & Fittings				\$800.00	\$800.00
272	Installation of Pipe / Coil				\$0.00	\$0.00
	Collection				\$0.00	\$0.00
	Total Project Cost - SSI				\$298,671.27	\$298,671.27

Well: X(-2A)

Note: The costs in bold are "actual" costs.

Permit No.:

Total Depth: 2436 ft. estimated

Prepared By: 

Date: 2/13/09

Exhibit E
 Unit X(-2)
 Docket #VGOB 09-0317-2486-01
 List of Owners/Claimants requiring Escrow

	Acres in Unit	Percent of Unit
<u>Tract #4 - 3.43 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) ACIN LLC (2053.22 Acre Tract) c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	3.43 acres	4.2875%
<u>OIL & GAS OWNERSHIP</u>		
(1) Yellow Poplar Lumber Company (Gas interest only) Address Unknown	3.43 acres	4.2875%
<u>TOTAL CONFLICTS:</u>		
	Acreage in Unit Percentage of Unit	3.43 4.2875%

Exhibit EE
 Unit X(-2)
 Docket #VGOB 09-0317-2488-01
 List of Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit
<u>Tract #1 - 70.79 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Levisa Coal Company Tr. 36 (861.47 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	70.79 acres	88.4875%
<u>OIL & GAS OWNERSHIP</u>		
(1) John W. Pobst, Jr., et al. (861.47 Acre Tract)	70.79 acres	88.4875%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	17.70 acres 1/4 of 70.79 acres	22.1219%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	5.90 acres 1/12 of 70.79 acres	7.3740%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	5.90 acres 1/12 of 70.79 acres	7.3740%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	5.90 acres 1/12 of 70.79 acres	7.3740%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	5.90 acres 1/12 of 70.79 acres	7.3740%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	5.90 acres 1/12 of 70.79 acres	7.3740%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	11.80 acres 1/6 of 70.79 acres	14.7479%

Tract #2 - 5.56 acres

COAL OWNERSHIP

(1) Levisa Coal Company Tr. 24 (672.73 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	5.56 acres	6.9500%
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Exhibit EE
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) John W. Pobst, Jr., et al. (672.73 Acre Tract)	5.56 acres	6.9500%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	1.39 acres 1/4 of 5.56 acres	1.7375%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.46 acres 1/12 of 5.56 acres	0.5792%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.46 acres 1/12 of 5.56 acres	0.5792%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.46 acres 1/12 of 5.56 acres	0.5792%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.46 acres 1/12 of 5.56 acres	0.5792%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.46 acres 1/12 of 5.56 acres	0.5792%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.93 acres 1/6 of 5.56 acres	1.1583%

Tract #3 - 0.22 acres

COAL OWNERSHIP

(1) Levisa Coal Company Tr. 26 (230.81 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.22 acres	0.2750%
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OIL & GAS OWNERSHIP

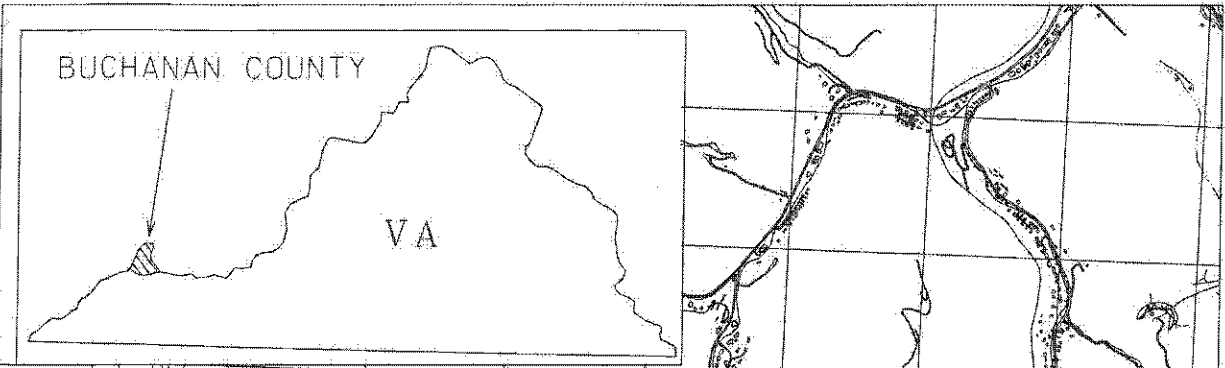
(1) John W. Pobst, Jr., et al. (230.81 Acre Tract)	0.22 acres	0.2750%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.06 acres 1/4 of 0.22 acres	0.0688%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.02 acres 1/12 of 0.22 acres	0.0229%

Exhibit EE
Unit X(-2)
Docket #VGOB 09-0317-2466-01
List of Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.02 acres 1/12 of 0.22 acres	0.0229%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.02 acres 1/12 of 0.22 acres	0.0229%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.02 acres 1/12 of 0.22 acres	0.0229%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.02 acres 1/12 of 0.22 acres	0.0229%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.04 acres 1/6 of 0.22 acres	0.0458%

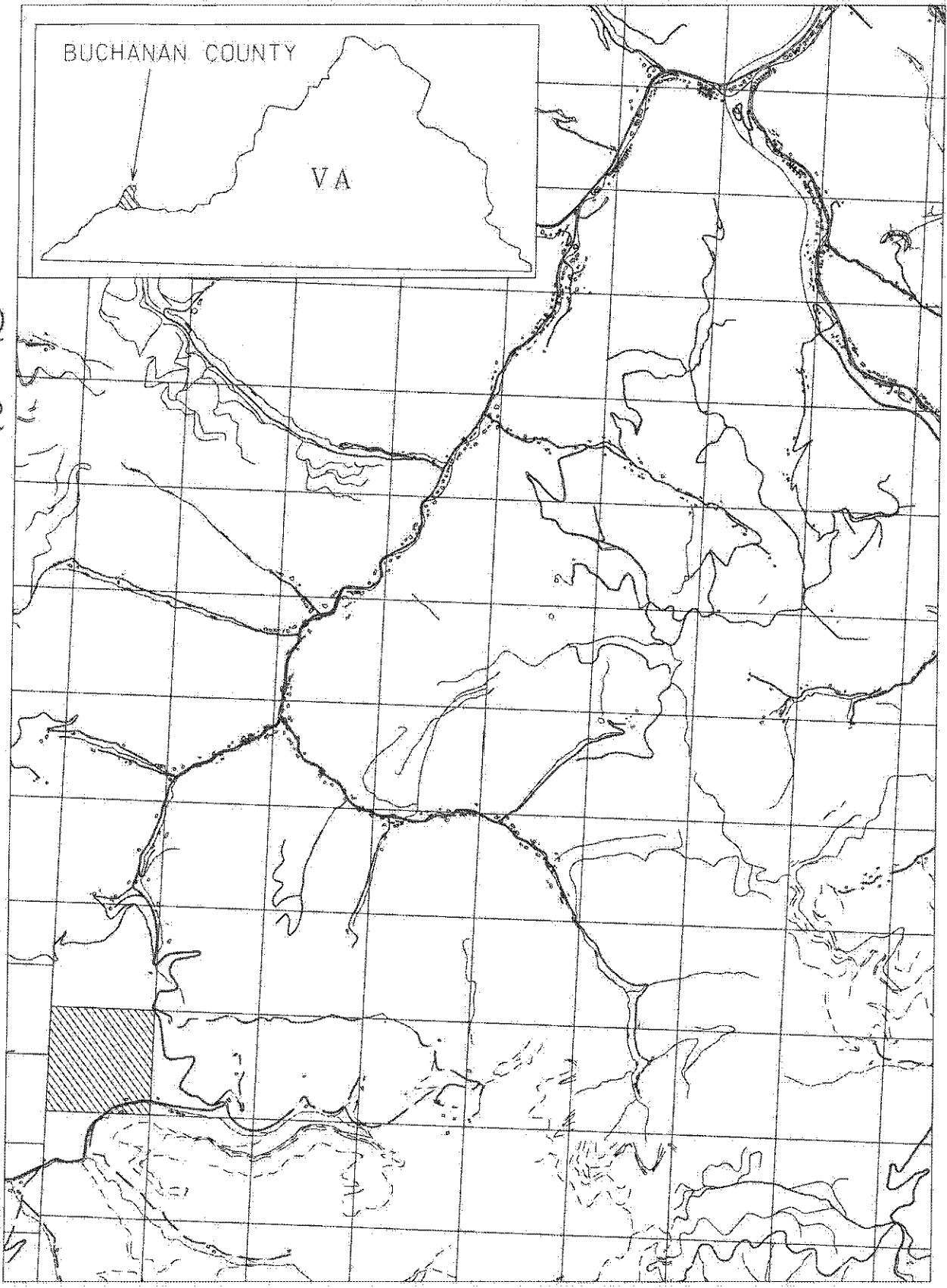
TOTAL CONFLICTS RESOLVED:

Acreage in Unit	76.57	
Percentage of Unit		95.7125%



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EXHIBIT A1
UNIT X-2
VGOB 09-0317-2488-01