

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 01-0320-0872-02

**RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 4, 7
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES**

HEARING DATE: May 20, 2014

DRILLING UNIT: AX110

RUSSELL 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, Swartz Law Offices, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808..

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 4 & 7 as depicted upon the annexed Table 1; and (2) Vacate current order due to all parties being leased and all conflicts resolved.

3. Legal Authority

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

4. Type of Well(s)

Coalbed Methane

5. Factual basis for relief requested

Under Case #CL10000662-00, executed May 12, 2011, the Circuit Court of Russell County clarified the conveyances from the Rasnakes to the Gents in DB 223/PG53, dated 10/26/1970. The conveyances included all right and title in and to the oil, gas, (including coalbed methane gas and deep gas), minerals (other than coal), etc., which allows the interest to be paid under the terms of the royalty split agreement previously executed by the parties. Buckhorn Coal Company and Gent Enterprises, LLC 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 Exhibit Table 1, further, specifies how said royalties are to be divided and paid.

6. Attestation

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

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

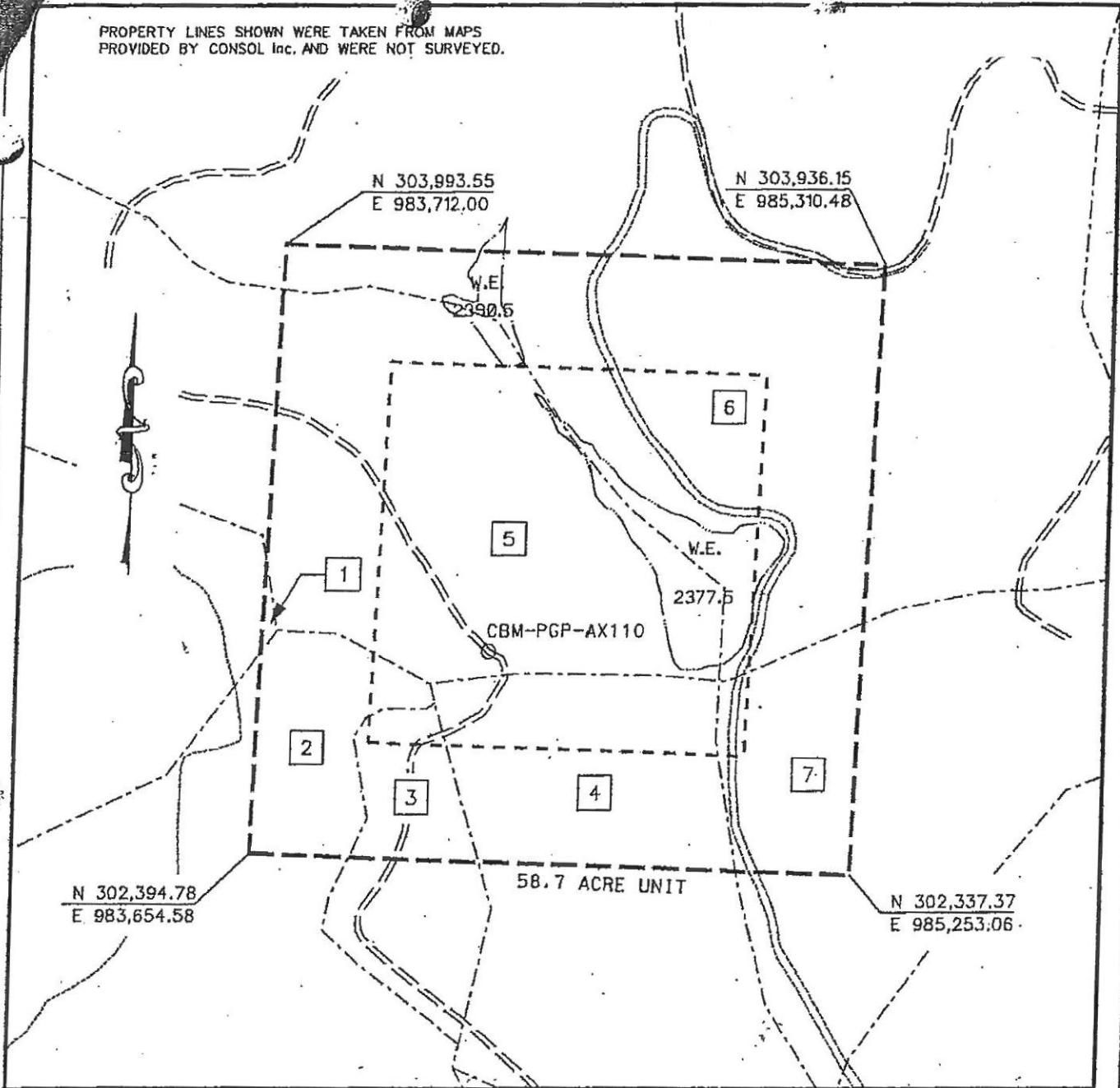
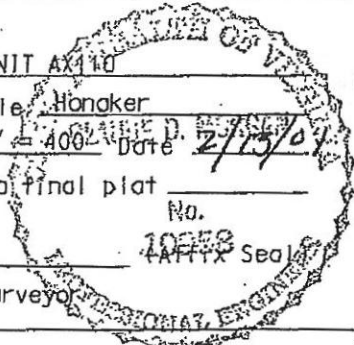


EXHIBIT A
 DAKWOOD FIELD UNIT AX-110
 FORCE POOLING
 VGOB-01-0320-0872

Company Pocahontas Gas Partnership Well Name and Number UNIT AX110
 Tract No. _____ Elevation _____ Quadrangle Honger
 County Russell District New Garden Scale: 1" = 400' Date 2/15/04
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-60-7
 Rev. 9/91

Charles D. Morgan
 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT AX110
Tract Identifications
(58.70 Acre Unit)

1. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) – Coal
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Peggy Rasnake, et al – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.11 Acres 0.1874%

2. Buckhorn Coal Company (H. C. Stuart 405.06 Acre Tract) – Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Peggy Rasnake, et al – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
4.24 Acres 7.2231%

3. Buckhorn Coal Company (H. C. Stuart 405.06 Acre Tract) – Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Michael Whited, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michael Whited – Surface
2.34 Acres 3.9864%

4. Buckhorn Coal Company (H. C. Stuart 405.06 Acre Tract) – Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Gent Enterprises, LLC – Oil and Gas
CNX Gas Company LLC - Oil, Gas and CBM Leased
Michael Whited OR Gent Enterprises, LLC – Surface
8.13 Acres 13.8501%

5. Buckhorn Coal Company (H. C. Stuart 405.06 Acre Tract) – Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Michael Whited, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michael Whited – Surface
20.12 Acres 34.2760%

6. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Michael Whited, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michael Whited – Surface
19.07 Acres 32.4872%

"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."

CNX Gas Company LLC
UNIT AX110
Tract Identifications
(58.70 Acre Unit)

7. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Gent Enterprises, LLC –Oil and Gas
CNX Gas Company LLC - Oil, Gas and CBM Leased
Michael Whited OR Gent Enterprises, LLC – Surface
4.69 Acres 7.9898%

"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."

Exhibit E
Unit AX-110
Docket #VGOB-01-0320-0872-02
List of Conflicting Owners/Claimants that require escrow

Acres in Unit	Interest in Unit
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All conflicts resolved. Escrowing no longer required

Exhibit EE
Unit AX-110
Docket #VGOB-01-0320-0872-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1, 0.11 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company <i>(Jacob Fuller 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	0.11 acres	0.1874%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Peggy Rasnake, et al <i>122 Acre Tract - Michael O. Rasnake Heirs</i>	0.11 acres	0.1874%	
(a) Mike O. Rasnake Heirs, Deviseses, Successors or Assigns			
(a.1) Peggy Rasnake (a.2) Bobby Lee Rasnake (a.3) Donna Jean Whitt			<i>By Deed of Gift dated October 26, 2012 and Corrective Deed of Gift dated February 11, 2013, Peggy Rasnake, Bobby Rasnake & Donna Whitt assign all their royalty and minerals to Peggy Rasnake for her lifetime. They further convey the remainder to Bobby Rasnake, Donna Whitt, Harold Dye and Deborah Carlock; DB 758/305 (RC).</i>
Peggy Rasnake * 73 Miller Creek Road Honaker, VA 24260	0.11 acres	0.1874%	<i>n/a</i>
<i>* Entitled to a 100% of all royalties and minerals for her lifetime, paid under the terms of the Royalty Agreement</i>			
(b.1) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260			<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>
(b.2) Donna Jean Whitt 6980 Drill Rd. Honaker, VA 24260			<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>
(b.3) Harold David Dye 1162 Fescue Road Rowe, VA 24646			<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>
(b.4) Deborah Cook Carlock 1394 Elk Garden Road Lebanon, VA 24266			<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>
<u>Tract #2, 4.24 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company <i>(H.C. Stuart 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	4.24 acres	7.2232%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Peggy Rasnake, et al <i>122 Acre Tract - Michael O. Rasnake Heirs</i>	4.24 acres	7.2232%	
(a) Mike O. Rasnake Heirs, Deviseses, Successors or Assigns			
(a.1) Peggy Rasnake (a.2) Bobby Lee Rasnake (a.3) Donna Jean Whitt			<i>By Deed of Gift dated October 26, 2012 and Corrective Deed of Gift dated February 11, 2013, Peggy Rasnake, Bobby Rasnake & Donna Whitt assign all their royalty and minerals to Peggy Rasnake for her lifetime. They further convey the remainder to Bobby Rasnake, Donna Whitt, Harold Dye and Deborah Carlock; DB 758/305 (RC).</i>
Peggy Rasnake * 73 Miller Creek Road Honaker, VA 24260	4.24 acres	7.2232%	<i>n/a</i>
<i>* Entitled to a 100% of all royalties and minerals for her lifetime, paid under the terms of the Royalty Agreement</i>			

Exhibit EE
Unit AX-110
Docket #VGOB-01-0320-0872-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
(b.1) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260		<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>	
(b.2) Donna Jean Whitt 6980 Drill Rd. Honaker, VA 24260		<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>	
(b.3) Harold David Dye 1162 Fescue Road Rowe, VA 24646		<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>	
(b.4) Deborah Cook Carlock 1394 Elk Garden Road Lebanon, VA 24266		<i>1/4 Interest subject to the Life Estate of Peggy Rasnake</i>	

Tract #3, 2.34 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company <i>(H.C. Stuart 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	2.34 acres	3.9864%	<i>n/a</i>
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OIL & GAS OWNERSHIP

(1) (Columbus) Earl Whited Heirs, Devisees, Successors or Assigns	2.34 acres	3.9864%	
(a) Michael Whited PO Box 297 Swords Creek, VA 24696	0.23 acres 1/10 of 2.34 acres	0.3986%	<i>n/a</i>
(b) Ferrell Whited PO Box 1471 Honaker, VA 24260-1471	0.42 acres 9/50 of 2.34 acres	0.7175%	<i>n/a</i>
(c) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	0.42 acres 9/50 of 2.34 acres	0.7175%	<i>n/a</i>
(d) Marty Whited PO Box 881 Lebanon, VA 24266-0881	0.42 acres 9/50 of 2.34 acres	0.7175%	<i>n/a</i>
(e) Cathy Darlene Ward 2014 Miller Creek Rd Swords Creek, VA 24649	0.42 acres 9/50 of 2.34 acres	0.7175%	<i>n/a</i>
(f) Melissa Skeens 120 Clifton Farm Rd Honaker, VA 24260	0.42 acres 9/50 of 2.34 acres	0.7175%	<i>n/a</i>

Tract #4, 8.13 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company <i>(H.C. Stuart 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	8.13 acres	13.8501%	31.7083%
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OIL & GAS OWNERSHIP

(1) Gent Enterprises, LLC <i>(50 Acre Tract)</i> P.O. Box 330 Honaker, VA 24260 <i>(Previously listed as a title conflict between Michael Whited, or Gent Enterprises, LLC)</i>	8.13 acres	13.8501%	31.7083%
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Exhibit EE
Unit AX-110
Docket #VGOB-01-0320-0872-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
<i>Under Case #CL10000662-00, executed May 12, 2011, the Court of Russell County clarified the conveyances from the Rasnakes to the Gents in DB 223/ PG 53, dated 10/26/70 included all right, title in and to the oil, gas, (including coalbed methane gas and deep gas), minerals (other than coal), etc.</i>			
<i>Royalties can be paid based on the royalty agreement between Buckhorn / Gent Enterprises</i>			
<u>Tract #5, 20.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company <i>(H.C. Stuart 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	20.12 acres	34.2760%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) (Columbus) Earl Whited Heirs, Devisees, Successors or Assigns	20.12 acres	34.2760%	
(a) Michael Whited PO Box 297 Swords Creek, VA 24696	2.01 acres 1/10 of 20.12 acres	3.4276%	<i>n/a</i>
(b) Ferrell Whited PO Box 1471 Honaker, VA 24260-1471	3.62 acres 9/50 of 20.12 acres	6.1697%	<i>n/a</i>
(c) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	3.62 acres 9/50 of 20.12 acres	6.1697%	<i>n/a</i>
(d) Marty Whited PO Box 881 Lebanon, VA 24266-0881	3.62 acres 9/50 of 20.12 acres	6.1697%	<i>n/a</i>
(e) Cathy Darlene Ward 2014 Miller Creek Rd Swords Creek, VA 24649	3.62 acres 9/50 of 20.12 acres	6.1697%	<i>n/a</i>
(f) Melissa Skeens 120 Clifton Farm Rd Honaker, VA 24260	3.62 acres 9/50 of 20.12 acres	6.1697%	<i>n/a</i>

Tract #6, 19.07 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company <i>(Jacob Fuller 453 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	19.07 acres	32.4872%	<i>n/a</i>
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OIL & GAS OWNERSHIP

(1) (Columbus) Earl Whited Heirs, Devisees, Successors or Assigns	19.07 acres	32.4872%	
(a) Michael Whited PO Box 297 Swords Creek, VA 24696	1.91 acres 1/10 of 19.07 acres	3.2487%	<i>n/a</i>
(b) Ferrell Whited PO Box 1471 Honaker, VA 24260-1471	3.43 acres 9/50 of 19.07 acres	5.8477%	<i>n/a</i>
(c) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	3.43 acres 9/50 of 19.07 acres	5.8477%	<i>n/a</i>
(d) Marty Whited PO Box 881 Lebanon, VA 24266-0881	3.43 acres 9/50 of 19.07 acres	5.8477%	<i>n/a</i>

Exhibit EE
Unit AX-110
Docket #VGOB-01-0320-0872-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
(e) Cathy Darlene Ward 2014 Miller Creek Rd Swords Creek, VA 24649	3.43 acres 9/50 of 19.07 acres	5.8477%	<i>n/a</i>
(f) Melissa Skeens 120 Clifton Farm Rd Honaker, VA 24260	3.43 acres 9/50 of 19.07 acres	5.8477%	<i>n/a</i>

Tract #7, 4.69 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company <i>(Jacob Fuller 453 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	4.69 acres	7.9898%	18.2917%
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OIL & GAS OWNERSHIP

(1) Gent Enterprises, LLC <i>(50 Acre Tract)</i> P.O. Box 330 Honaker, VA 24260 <i>(Previously listed as a title conflict between Michael Whited, or Gent Enterprises, LLC)</i>	4.69 acres	7.9898%	18.2917%
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Under Case #CL10000662-00, executed May 12, 2011, the Court of Russell County clarified the conveyances from the Rasnakes to the Gents in DB 223/ PG 53, dated 10/26/70 included all right, title in and to the oil, gas, (including coalbed methane gas and deep gas), minerals (other than coal), etc.

Royalties can be paid based on the royalty agreement between Buckhorn / Gent Enterprises

Total Acreage Resolved	58.70	
Total Percentage Resolved		100.0000%

Exhibit J
Unit AX110 Escrow Account Reconciliation
VGOB 01-0320-0872

CNX Deposit Information		
Check Date	Check Number	Total
10/25/2001	NULL	\$1,019.32
12/21/2001	NULL	\$226.72
1/25/2002	NULL	\$338.62
2/25/2002	NULL	\$580.88
3/25/2002		\$544.54
4/25/2002	16495	\$523.82
5/24/2002	17359	\$648.26
6/25/2002	18008	\$680.13
7/25/2002	18584	\$715.68
8/23/2002	19194	\$778.52
9/25/2002	19528	\$863.17
10/25/2002	20423	\$895.72
11/25/2002	21096	\$842.25
12/24/2002	21558	\$892.75
1/24/2003	23052	\$1,028.29
2/25/2003	23744	\$1,155.54
3/25/2003	24552	\$1,241.74
4/25/2003	25402	\$1,136.38
5/23/2003	26301	\$1,254.53
6/25/2003	26774	\$1,167.98
7/25/2003	27866	\$1,305.84
8/25/2003	28705	\$1,339.60
9/25/2003	29548	\$1,323.86
10/24/2003	30379	\$1,338.09
11/25/2003	31322	\$1,026.66
12/24/2003	32842	\$1,361.39
1/23/2004	33558	\$1,372.51
2/25/2004	34550	\$1,619.66
3/25/2004	35443	\$2,158.16
4/23/2004	36462	\$1,790.21
5/25/2004	37530	\$2,036.77
6/25/2004	38497	\$1,974.54
7/23/2004	39523	\$2,137.91
8/25/2004	40639	\$2,324.56
9/24/2004	41742	\$2,304.59
10/25/2004	42915	\$2,302.39
11/24/2004	43960	\$2,044.45
12/24/2004	45596	\$2,336.30
1/25/2005	46530	\$2,368.16
2/25/2005	47802	\$2,638.81
3/24/2005	49000	\$2,343.92
4/25/2005	50310	\$2,062.84
5/25/2005	51548	\$2,442.98
6/24/2005	52616	\$1,716.70
7/25/2005	53775	\$2,474.82
8/25/2005	55132	\$2,345.52
9/23/2005	56457	\$2,487.98
10/25/2005	57740	\$2,778.58
11/25/2005	59027	\$3,442.17

Escrow Bank Data													Running Balance	Difference
Date	Escrow Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance		
8/31/2001	\$0.00	\$0.00				\$0.00					\$0.00	\$0.00	\$0.00	\$0.00
9/30/2001	\$12.82	\$0.02				\$0.00					\$0.02	\$12.84	\$0.02	-\$12.82
10/31/2001	\$1,019.32	\$0.02				\$0.00					\$0.02	\$1,032.18	\$1,019.36	-\$12.82
11/30/2001	\$0.00	\$0.00				\$0.00					\$0.00	\$1,033.35	\$1,019.36	-\$13.99
12/31/2001	\$226.72	\$1.52				\$0.00					\$1.52	\$1,261.59	\$1,247.60	-\$13.99
1/31/2002	\$338.62	\$0.90				\$0.00					\$0.90	\$1,601.11	\$1,587.12	-\$13.99
2/28/2002	\$580.88	\$0.85				\$0.00					\$0.85	\$2,182.84	\$2,168.85	-\$13.99
3/31/2002	\$544.54	\$1.60				\$0.00					\$1.60	\$2,728.98	\$2,714.99	-\$13.99
4/30/2002	\$523.82	\$0.00				\$0.00					\$0.00	\$3,252.80	\$3,238.81	-\$13.99
5/31/2002	\$648.26	\$2.54				\$0.00					\$2.54	\$3,903.60	\$3,889.61	-\$13.99
6/30/2002	\$680.13	\$2.13				\$0.00					\$2.13	\$4,585.86	\$4,571.87	-\$13.99
7/31/2002	\$715.68	\$2.74				\$0.00					\$2.74	\$5,304.28	\$5,290.29	-\$13.99
8/31/2002	\$778.52	\$3.30				\$0.00					\$3.30	\$6,086.10	\$6,072.11	-\$13.99
9/30/2002	\$863.17	\$3.65				\$0.00					\$3.65	\$6,952.92	\$6,938.93	-\$13.99
10/31/2002	\$895.72	\$3.48				\$0.00					\$3.48	\$7,852.12	\$7,838.13	-\$13.99
11/30/2002	\$842.25	\$3.85				\$0.00					\$3.85	\$8,698.22	\$8,684.23	-\$13.99
12/31/2002	\$892.75	\$4.43				\$0.00					\$4.43	\$9,595.40	\$9,581.41	-\$13.99
1/31/2003	\$1,028.29	\$2.41				\$0.00					\$2.41	\$10,626.10	\$10,612.11	-\$13.99
2/28/2003	\$1,155.54	\$2.21				\$0.00					\$2.21	\$11,783.85	\$11,769.86	-\$13.99
3/31/2003	\$1,241.74	\$1.35				\$0.00					\$1.35	\$13,026.94	\$13,012.95	-\$13.99
4/30/2003	\$1,136.38	\$2.40				\$0.00					\$2.40	\$14,165.72	\$14,151.73	-\$13.99
5/31/2003	\$1,254.53	\$1.67				\$0.00					\$1.67	\$15,421.92	\$15,407.93	-\$13.99
6/30/2003	\$1,167.98	\$2.68				\$0.00					\$2.68	\$16,592.58	\$16,578.59	-\$13.99
7/31/2003	\$1,305.84	\$1.64				\$0.00					\$1.64	\$17,900.06	\$17,886.07	-\$13.99
8/31/2003	\$1,339.60	\$0.78				\$0.00					\$0.78	\$19,240.44	\$19,226.45	-\$13.99
9/30/2003	\$1,323.86	\$0.74				\$0.00					\$0.74	\$20,565.04	\$20,551.05	-\$13.99
10/31/2003	\$1,338.09	\$1.20				\$0.00					\$1.20	\$21,904.33	\$21,890.34	-\$13.99
11/30/2003	\$1,026.66	\$1.94				\$0.00					\$1.94	\$22,932.93	\$22,918.94	-\$13.99
12/31/2003	\$1,361.39	\$1.33				\$0.00					\$1.33	\$24,295.65	\$24,281.66	-\$13.99
1/31/2004	\$1,372.51	\$2.50				\$0.00					\$2.50	\$25,670.66	\$25,656.67	-\$13.99
2/28/2004	\$1,619.66	\$2.01				\$0.00					\$2.01	\$27,292.33	\$27,278.34	-\$13.99
3/31/2004	\$2,158.16	\$1.22				\$0.00					\$1.22	\$29,451.71	\$29,437.72	-\$13.99
4/30/2004	\$1,790.21	\$3.53				\$0.00					\$3.53	\$31,245.45	\$31,231.46	-\$13.99
5/31/2004	\$2,036.77	\$3.68				\$0.00					\$3.68	\$33,285.90	\$33,271.91	-\$13.99
6/30/2004	\$1,974.54	\$5.32				\$0.00					\$5.32	\$35,265.76	\$35,251.77	-\$13.99
7/31/2004	\$2,137.91	\$7.74				\$0.00					\$7.74	\$37,411.41	\$37,397.42	-\$13.99
8/31/2004	\$2,324.56	\$16.88				\$0.00					\$16.88	\$39,752.85	\$39,738.86	-\$13.99
9/30/2004	\$2,304.59	\$20.07				\$0.00					\$20.07	\$42,077.51	\$42,063.52	-\$13.99
10/31/2004	\$2,302.39	\$26.49				\$0.00					\$26.49	\$44,406.39	\$44,392.40	-\$13.99
11/30/2004	\$2,044.45	\$34.63				\$0.00					\$34.63	\$46,485.47	\$46,471.48	-\$13.99
12/31/2004	\$2,336.30	\$35.88				\$0.00					\$35.88	\$48,857.65	\$48,843.66	-\$13.99
1/31/2005	\$2,368.16	\$52.91				\$0.00					\$52.91	\$51,278.72	\$51,264.73	-\$13.99
2/28/2005	\$2,638.81	\$63.24				\$0.00					\$63.24	\$53,980.77	\$53,966.78	-\$13.99
3/31/2005	\$2,343.92	\$64.26				\$0.00					\$64.26	\$56,388.95	\$56,374.96	-\$13.99
4/30/2005	\$2,062.84	\$87.67				\$0.00					\$87.67	\$58,539.46	\$58,525.47	-\$13.99
5/31/2005	\$2,442.98	\$93.72				\$0.00					\$93.72	\$61,076.16	\$61,062.17	-\$13.99
6/30/2005	\$1,716.70	\$105.41				\$0.00					\$105.41	\$62,898.27	\$62,884.28	-\$13.99
7/31/2005	\$2,474.82	\$112.63				\$0.00					\$112.63	\$65,485.72	\$65,471.73	-\$13.99
8/31/2005	\$2,345.52	\$131.38				\$0.00					\$131.38	\$67,962.62	\$67,948.63	-\$13.99
9/30/2005	\$2,487.98	\$146.53				\$0.00					\$146.53	\$70,597.13	\$70,583.14	-\$13.99
10/31/2005	\$2,778.58	\$157.02				\$0.00					\$157.02	\$73,532.73	\$73,518.74	-\$13.99
11/30/2005	\$3,442.17	\$168.88				\$0.00					\$168.88	\$77,143.78	\$77,129.79	-\$13.99

12/23/2005	60928	\$4,055.81	
1/25/2006	62063	\$3,150.94	
2/24/2006	63581	\$4,133.69	
3/24/2006	64944	\$4,440.77	
4/25/2006	66259	\$3,325.94	
5/25/2006	67608	\$3,158.70	
6/23/2006	68960	\$3,146.87	
7/25/2006	71162	\$3,093.02	
8/25/2006	NULL	\$2,511.70	
9/25/2006	NULL	\$2,536.71	
10/25/2006	NULL	\$3,186.13	
11/25/2006	NULL	\$2,495.48	
12/25/2006	NULL	\$1,422.07	
1/25/2007	NULL	\$1,636.22	
1/31/2007	NULL	\$958.21	
2/25/2007	NULL	\$2,985.73	
3/25/2007	NULL	\$1,997.78	
4/25/2007	NULL	\$2,198.80	
5/25/2007	NULL	\$2,526.81	
6/25/2007	NULL	\$2,382.72	
7/25/2007	NULL	\$2,306.23	
8/25/2007	NULL	\$2,139.11	
9/25/2007	NULL	\$1,893.34	
10/25/2007	NULL	\$1,668.63	
11/25/2007	NULL	\$1,406.74	
12/25/2007	NULL	\$1,746.12	
1/25/2008	NULL	\$1,636.96	
2/25/2008	NULL	\$2,848.05	
3/25/2008	NULL	\$3,602.43	
4/25/2008	NULL	\$3,533.27	
5/25/2008	NULL	\$4,217.65	
6/25/2008	NULL	\$4,133.84	
7/25/2008	NULL	\$5,601.04	
8/25/2008	NULL	\$5,910.32	
9/25/2008	NULL	\$6,613.83	
10/25/2008	NULL	\$4,239.95	
11/25/2008	NULL	\$3,896.70	
12/25/2008	NULL	\$3,498.55	
1/25/2009	NULL	\$2,966.92	
2/25/2009	NULL	\$3,235.27	
3/25/2009	NULL	\$2,792.73	
4/25/2009	NULL	\$1,691.81	
5/25/2009	NULL	\$2,374.28	
6/25/2009	NULL	\$486.33	
7/25/2009	NULL	\$1,236.71	
10/25/2009	NULL	\$780.85	
11/19/2009	NULL	\$157.03	
12/18/2009	NULL	\$259.87	
1/18/2010	NULL	\$258.64	
2/22/2010	NULL	\$263.64	
3/22/2010	NULL	\$534.46	
4/20/2010	NULL	\$422.73	
5/19/2010	NULL	\$387.63	
6/21/2010	NULL	\$281.69	
7/20/2010	NULL	\$332.39	
8/20/2010	NULL	\$307.27	
9/22/2010	NULL	\$358.32	
10/19/2010	NULL	\$331.15	

12/31/2005	\$4,055.81	\$182.59			\$0.00			\$182.59	\$81,382.18	\$81,368.19	-\$13.99
1/31/2006	\$3,150.94	\$213.54			\$0.00			\$213.54	\$84,746.66	\$84,732.67	-\$13.99
2/28/2006	\$4,133.69	\$230.91			\$0.00			\$230.91	\$89,111.26	\$89,097.27	-\$13.99
3/31/2006	\$4,440.77	\$239.62			\$0.00			\$239.62	\$93,791.65	\$93,777.66	-\$13.99
4/30/2006	\$3,325.94	\$300.96			\$0.00			\$300.96	\$97,418.55	\$97,404.56	-\$13.99
5/31/2006	\$3,158.70	\$299.72			\$0.00			\$299.72	\$100,876.97	\$100,862.98	-\$13.99
6/30/2006	\$3,146.87	\$323.30			\$0.00			\$323.30	\$104,347.14	\$104,333.15	-\$13.99
7/31/2006	\$3,093.02	\$332.84			\$0.00			\$332.84	\$107,773.00	\$107,759.01	-\$13.99
8/31/2006	\$0.00	\$362.54			\$0.00			\$362.54	\$108,135.54	\$110,633.25	\$2,497.71
										\$113,169.96	#####
10/31/2006	\$3,186.13	\$429.03			\$0.00			\$429.03	\$117,196.61	\$116,785.12	-\$411.49
11/30/2006	\$2,495.48	\$452.30			\$0.00	(\$7.93)		\$444.37	\$120,136.46	\$119,724.97	-\$411.49
										\$121,147.04	#####
1/31/2007	\$1,636.22	\$445.80			\$0.00			\$445.80	\$124,043.44	\$123,229.06	-\$814.38
2/28/2007	\$0.00	\$434.54			\$0.00			\$434.54	\$124,477.98	\$124,621.81	\$143.83
3/31/2007	\$3,943.94	\$410.79			\$0.00			\$410.79	\$128,832.71	\$128,018.33	-\$814.38
										\$130,016.11	#####
4/30/2007	\$4,196.58	\$480.26			\$0.00			\$480.26	\$133,509.55	\$132,695.17	-\$814.38
5/31/2007	\$2,526.81	\$455.18			\$0.00			\$455.18	\$136,491.54	\$135,677.16	-\$814.38
6/30/2007	\$0.00	\$483.28			\$0.00			\$483.28	\$136,974.82	\$138,543.16	\$1,568.34
7/31/2007	\$4,688.95	\$955.06			\$0.00			\$955.06	\$142,141.30	\$141,804.45	-\$336.85
8/31/2007	\$2,139.11	\$482.10			\$0.00			\$482.10	\$144,762.51	\$144,425.66	-\$336.85
9/30/2007	\$1,893.34	\$775.16			\$0.00			\$775.16	\$147,431.01	\$147,094.16	-\$336.85
10/31/2007	\$0.00	\$494.02			\$0.00			\$494.02	\$147,925.03	\$149,256.81	\$1,331.78
11/30/2007	\$3,075.37	\$516.47			\$0.00			\$516.47	\$151,516.87	\$151,180.02	-\$336.85
12/31/2007	\$1,746.12	\$482.32			\$0.00			\$482.32	\$153,745.31	\$153,408.46	-\$336.85
1/31/2008	\$1,636.96	\$389.08			\$0.00			\$389.08	\$155,771.35	\$155,434.50	-\$336.85
2/29/2008	\$2,848.05	\$334.30			\$0.00			\$334.30	\$158,953.70	\$158,616.85	-\$336.85
3/31/2008	\$3,602.43	\$297.68			\$0.00			\$297.68	\$162,853.81	\$162,516.96	-\$336.85
4/30/2008	\$3,533.27	\$227.96			\$0.00			\$227.96	\$166,615.04	\$166,278.19	-\$336.85
5/31/2008	\$4,217.65	\$192.07			\$0.00			\$192.07	\$171,024.76	\$170,587.91	-\$336.85
6/30/2008	\$4,133.84	\$195.84			\$0.00			\$195.84	\$175,354.44	\$175,017.59	-\$336.85
7/31/2008	\$5,601.04	\$193.71			\$0.00			\$193.71	\$181,149.19	\$180,812.34	-\$336.85
8/31/2008	\$5,910.32	\$254.34			\$0.00			\$254.34	\$187,313.85	\$186,977.00	-\$336.85
9/30/2008	\$6,613.83	\$233.58			\$0.00			\$233.58	\$194,161.26	\$193,824.41	-\$336.85
10/31/2008	\$4,239.95	\$193.97			\$0.00			\$193.97	\$198,595.18	\$198,258.33	-\$336.85
11/30/2008	\$3,896.70	\$261.78			\$0.00			\$261.78	\$202,753.66	\$202,416.81	-\$336.85
12/31/2008	\$3,498.55	\$107.94			\$0.00			\$107.94	\$206,360.15	\$206,023.30	-\$336.85
1/1/2009	\$0.00	\$10.06			\$0.00			\$10.06	\$206,370.21	\$209,000.28	\$2,630.07
2/28/2009	\$6,202.19	(\$18.84)			\$0.00			-\$18.84	\$212,553.56	\$212,216.71	-\$336.85
3/31/2009	\$2,792.73	\$52.30			\$0.00			\$52.30	\$215,398.59	\$215,061.74	-\$336.85
4/30/2009	\$1,691.81	(\$33.89)			\$0.00			-\$33.89	\$217,056.51	\$216,719.66	-\$336.85
5/31/2009	\$2,374.28	(\$34.48)			\$0.00			-\$34.48	\$219,396.31	\$219,059.46	-\$336.85
6/30/2009	\$486.33	(\$35.87)			\$0.00			-\$35.87	\$219,846.77	\$219,509.92	-\$336.85
7/31/2009	\$1,236.71	(\$36.51)			\$0.00			-\$36.51	\$221,046.97	\$220,710.12	-\$336.85
8/31/2009	\$0.00	(\$21.22)			\$0.00	(\$172,770.80)		-\$21.22	\$48,254.95	\$47,918.10	-\$336.85
9/30/2009	\$0.00	(\$3.27)			\$0.00			-\$3.27	\$48,251.68	\$47,914.83	-\$336.85
10/31/2009	\$780.85	(\$3.82)			\$0.00			-\$3.82	\$49,028.71	\$48,691.86	-\$336.85
11/30/2009	\$157.03	(\$3.63)			\$0.00			-\$3.63	\$49,182.11	\$48,845.26	-\$336.85
12/31/2009	\$259.87	(\$13.71)			\$0.00			-\$13.71	\$49,428.27	\$49,091.42	-\$336.85
1/1/2010	\$258.64	\$9.20			\$0.00	\$0.00		\$9.20	\$49,681.30	\$49,359.26	-\$322.04
2/1/2010	\$263.64	\$9.55			\$0.00	(\$4.00)		\$5.55	\$49,950.49	\$49,628.45	-\$322.04
3/1/2010	\$534.46	\$10.63			\$0.00	(\$4.16)		\$6.47	\$50,491.42	\$50,169.38	-\$322.04
4/1/2010	\$422.73	\$11.09			\$0.00	(\$4.21)		\$6.88	\$50,921.03	\$50,598.99	-\$322.04
5/1/2010	\$387.63	\$10.14			\$0.00	(\$4.24)		\$5.90	\$51,314.56	\$50,992.52	-\$322.04
6/1/2010	\$281.69	\$10.55			\$0.00	(\$4.28)	(\$45.16)	-\$38.89	\$51,557.36	\$51,235.32	-\$322.04
7/1/2010	\$332.39	\$10.65	\$1.47		\$0.00	(\$4.30)		\$7.82	\$51,897.57	\$51,575.53	-\$322.04
8/1/2010	\$307.27	\$9.15	\$3.58		\$0.00	(\$4.32)		\$8.41	\$52,213.25	\$51,891.21	-\$322.04
9/1/2010	\$358.32	\$8.56	\$5.07		\$0.00	(\$4.35)		\$9.28	\$52,580.85	\$52,258.81	-\$322.04
10/1/2010	\$331.15	\$8.00	\$7.31	(\$4.38)	\$0.00		(\$57.11)	-\$46.18	\$52,865.82	\$52,543.78	-\$322.04

Exhibit B-2
Unit AX110
Docket #VGOB-01-0320-0872-02
List of Owners/Claimants to be Dismissed

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS OWNERSHIP			
<u>Tract #4, 8.13 acres</u>			
Earl Whited et al.	8.13 acres	13.8501%	
(1) Dr. L.M. Harrison, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.02 acres 1/8 of 8.13 acres	1.7313%	Not an Owner
<u>Tract #7, 4.69 acres</u>			
Earl Whited et al.	4.69 acres	7.9898%	
(1) Dr. L.M. Harrison, Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.59 acres 1/8 of 4.69 acres	0.9987%	Not an Owner

Exhibit B-3
Unit AX110
Docket #VGOB-01-0320-0872-02
List of Unleased Owners/Claimants

Acres in Unit	Interest in Unit
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This unit is 100% leased

VIRGINIA: IN THE CIRCUIT COURT OF RUSSELL COUNTY

GENT ENTERPRISES, LLC,.....PLAINTIFF,

vs. Case No.: CL10000662-00

**RALPH SNEAD, ADMINISTRATOR
C.T.A. FOR THE ESTATE OF
COLUMBUS EARL WHITED, et als,.....DEFENDANTS.**

FINAL ORDER

THIS ACTION CAME ON TO BE HEARD, upon the Plaintiff's Complaint herein; upon service of process upon Herald Whited, in person, on November 1, 2010, upon Marty Whited by posting on November 1, 2010, upon Ferrell Whited, in person, on November 1, 2010, upon Kathy Ward, by posting, on October 14, 2010, upon Melissa Skeens, by posting, on October 14, 2010, on Michael Whited, by posting, on November 14, 2010, upon Ralph Snead, Administrator CTA of the Estate of Columbus Earl Whited, in person on October 18, 2010; upon answers filed herein on behalf of Ralph Snead, Administrator CTA of the Estate of Columbus Earl Whited, by Stephen M. Quillen, Esq. on January 4, 2011, by answer filed on behalf of Michael Whited, on November 10, 2010, by his attorney, James T. Shortt, II, Esq.; upon answers pro se filed by Melissa Skeens on 11/15/10, by Ferrell Whited on 11/19/10, and by Herald Whited on 11/19/10; and upon Plaintiff's Notice of Trial herein filed and mailed to counsel of record on February 8, 2011, upon the Plaintiff's Notice of Trial giving ten (10) days of notice for judgment of default to Marty Whited

and Kathy Ward by counsel for the Plaintiff on January 6, 2011; upon Notice of trial date given to all pro se Defendants and the Defendants in default by counsel for the Plaintiff on April 19, 2011; upon the Counter-Claim of Michael Whited herein filed on March 24, 2011; upon the Plaintiff's Motion to Dismiss the Defendant's Counter-Claim and Demurrer to the Defendant's Counter-Claim herein filed on April 11, 2011; and upon the trial of this action held on April 29, 2011, and was argued by counsel.

WHEREUPON, the Court first proceeded to hear, pre-trial, the Defendant's Motion for Continuance and Plaintiff's Motion to Dismiss the Defendant's Counter-Claim, after having considered arguments upon both Motions, and finding it proper so to do, it is

ADJUDGED, ORDERED, AND DECREED THAT the Defendant's Counter-Claim be, and the same is hereby dismissed and the Defendant's Motion for Continuance is denied.

THEREUPON, the Plaintiff presented its evidence consisting of the testimony of Charles Gent and documents entered into evidence as Plaintiff's Exhibits 2-4; and rested.

The Defendants then presented the testimony of Michael Whited, with documents consisting of receipts for payment of taxes admitted as Defendant's Exhibit 1.

The Plaintiff offered in rebuttal the testimony of Harvey Gent and mineral tax

receipts for payments of taxes upon the property that is the subject of this action, admitted as Plaintiff's Exhibit 5.

WHEREUPON, the Court, having considered the evidence of the Plaintiff and Defendant, the argument of counsel, and having reviewed the Deed from Mike Rasnake and Peggy Rasnake to R. W. Gent, R. F. Gent, and C. H. Gent dated October 26, 1970 and found of record in the Office of the Clerk of this Court in Deed Book 223, at page 53, and having reviewed the deed from Mike and Peggy Rasnake to Earl Whited dated October 19, 1972, found of record in the Office of the Clerk of this Court in Deed Book 235, at page 525; it is

ADJUDGED, ORDERED, AND DECREED THAT the deed from Mike Rasnake and Peggy Rasnake to R. W. Gent, et al, dated October 26, 1970 and recorded in Deed Book 223, at page 53 is prior in time, and therefore in right to the later deed from Mike Rasnake and Peggy Rasnake to Earl Whited, dated October 19, 1972 and found of record in Deed Book 235, at page 525 and that accordingly the aforesaid deed from the Rasnakes to the Gents dated October 26, 1970 and found of record in Deed Book 223, at page 53, conveyed all of the right, title, and interest of Mike Rasnake and Peggy Rasnake and their predecessors in title in and to all oil, gas (including coalbed methane gas and deep gas), minerals (other than coal), and timber, along with the other surface rights pertaining to mining, wheelage, prospecting, exploration, and otherwise as set forth in Deed Book 223, pages 54 to

Deed Book 223, page 57 to R. W. Gent, R. F. Gent, and C. H. Gent, predecessors in title to Gent Enterprises, LLC, which rights have, by conveyance in the chain of title since 1970, vested in Gent Enterprises, LLC, the Plaintiff herein.

It is further **ADJUDGED, ORDERED, AND DECREED THAT** the deed from Mike Rasnake and Peggy Rasnake to Earl Whited dated October 19, 1972, found of record in Deed Book 235, at page 525 operates to convey only the rights to use the real estate described therein, which is the same real estate as described in the earlier deed to the Gents, above referenced, for agricultural purposes only so long as such use does not interfere with the rights granted to the Gents by the above referenced deed of October 26, 1970, found of record in the Office of the Clerk of this Court in Deed Book 223, at page 53, such rights being the only rights which at the time of such conveyance, the Rasnakes had to convey, and which rights, in accordance with the holding of this Court, expressly do not include any rights to oil, gas (both coalbed methane gas and deed gas) minerals (except for coal) and any of the other above stated rights conveyed to the Gents by the aforesaid October 26, 1970 deed; which rights under the Last Will and Testament of Columbus Earl Whited are now vested

in the Defendant, Michael Whited. *This matter is ended. MWM*
The Clerk is directed to record this Order in the Land Records for Russell County. MWM

REQUESTED:



Of Counsel for the Plaintiff, Gent Enterprises, LLC

SEEN:

Amelia S. White
Of Counsel for Michael White

SEEN:

Stephen M. Deller
Of Counsel for Ralph Snead, Administrator, CTA of the
Last Will and Testament of Columbus Earl White

Signature of Pro Se Defendants dispensed with per Rule 1:13 of the Rules of the
Supreme Court of Virginia

ENTER: this the 12th day of May, 2011

Michael J. Moore
JUDGE

ALGORY, TESTE
ANN S. McREYNOLDS, CLERK
Stephanie Cook D. CLERK
CIRCUIT CLERK
RUSSELL COUNTY
VIRGINIA

1101260

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 5-13-2011. This deed was this day
presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:38 o'clock P.M, after payment of
\$ tax imposed by Sec. 58.1-802.

Original returned this date to: In Court File
BY: *Wanda Cook* TESTE, ANN S. McREYNOLDS, CLERK D. CLERK