

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 04-0120-1252-02

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

HEARING DATE: April 21, 2015

DRILLING UNIT: BA99

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, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) The disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tracts 1D & 1F to the persons identified in the Table using the percentages set forth in the Table; 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.

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

(a) Jimmy Lee Harris is entitled to 100% of the CBM royalties awarded under Case No. 335-11, Opinion dated February 5, 2015. Said decision 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 paid.
Harrison-Wyatt, L.L.C. and Clara Dollie Austin have entered into a CBM Deed. Said deed allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed 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.

BEFORE THE VIRGINIA OIL AND GAS BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO.: VGOB 04-0120-1252-02

RELIEF SOUGHT: (1) Disbursement from escrow
Regarding tracts 1D & 1F; and
(2) Dismissal of coal claimants

UNIT: BA99

BUCHANAN COUNTY, VIRGINIA

HEARING DATE: April 21, 2015
PLACE: Russell County Government Conference Center
139 Highland Drive
Lebanon, Virginia
TIME: 9:00 a.m.

NOTICE OF HEARING

COMMONWEALTH OF VIRGINIA: To the following persons who will receive a disbursement of escrowed funds if the relief sought by Applicant's Petition is granted by the Virginia Gas and Oil Board:

Jimmy Lee Harris, Harrison-Wyatt, L.L.C., and Clara Dollie Austin

COMMONWEALTH OF VIRGINIA: To the following persons identified as **COAL OWNERS** in the pooling application(s) and Virginia Gas and Oil Board Orders pertaining to the referenced Docket No. who were previously pooled by Virginia Gas and Oil Board Order as conflicting claimants to the coalbed methane to be produced from the Unit, **YOUR CLAIMS TO COALBED METHANE ROYALTIES AND/OR WORKING OR CARRIED INTERESTS** for coalbed methane gas produced from this Unit **ARE SUBJECT TO DISMISSAL BY BOARD ORDER AT THE HEARING NOTICED ABOVE:**

Harrison-Wyatt, L.L.C., (Tract 1C)

NOTICE IS HEREBY GIVEN that Applicant is requesting that the Virginia Gas and Oil Board (hereinafter Board) issue an order as follows:

- (1) Directing the Board's Escrow Agent to make the disbursements to the persons identified in the Table hereto using the percentages stated therein;
- (2) Dismissing the Respondents/coal owners listed above as Respondents and as conflicting claimants.

NOTICE IS FURTHER GIVEN that this cause has been set for hearing and the taking of evidence before the Board at 9:00 a.m., on April 21, 2015 at the Russell County Government Conference Center, 139 Highland Drive, Lebanon, Virginia, 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, the Department of Mines, Minerals and Energy, the Division of Gas and Oil, 135 Highland Drive, Lebanon, Virginia, (276) 415-9700, or the Applicant at the address shown Below.

NOTICE IS FURTHER GIVEN that any Coal Owner identified above who does not appear at the said hearing and provide the Board with evidence and/or a credible theory/argument that he/she/it has a good faith basis under existing law to claim an interest in the coalbed methane produced from the Unit, is subject to dismissal as a pooled Respondent and as a conflicting claimant to coalbed methane royalties, working interest and/or carried interest

CNX Gas Company LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER
By 
Anita D. Duty
Pooling Supervisor
2481 John Nash Blvd.
Bluefield, West Virginia 24701

BEFORE THE VIRGINIA OIL AND GAS BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO.: VGOB 04-0120-1252-02

RELIEF SOUGHT (1) Disbursement from escrow
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UNIT: BA99

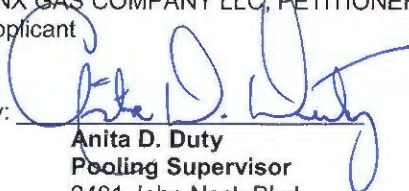
HEARING DATE: April 21, 2015

BUCHANAN COUNTY, VIRGINIA

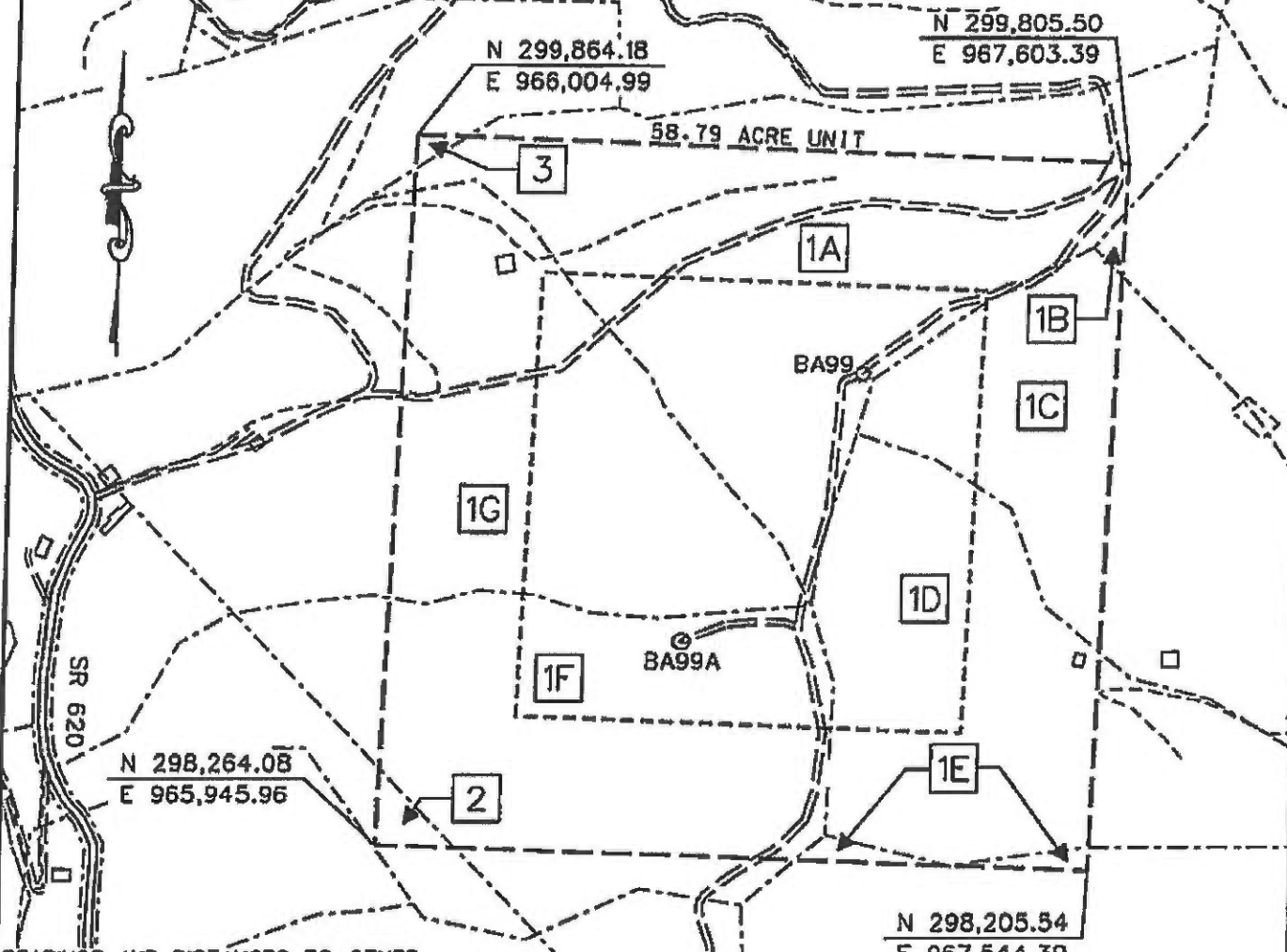
PETITION TO DISBURSE AND MODIFY

1. **Applicant and its counsel:** Applicant is **CNX Gas Company LLC**, 2481 John Nash Blvd., Bluefield, WV. 24701, 304.323.6500. Applicant's counsel is Mark A. Swartz, Hilliard & Swartz, LLP, 122 Capitol St., FL 2, Charleston, WV 25301.
2. **Relief sought:** (1) The disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tracts **1D & 1F** to the persons identified in the Table using the percentages set forth in the Table; 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.
3. **Factual basis for disbursements:** (a) **Jimmy Lee Harris is entitled to 100% of the CBM royalties awarded under Case No. 335-11, Opinion dated February 5, 2015.** Said decision 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 paid. **Harrison-Wyatt, L.L.C. and Clara Dollie Austin** have entered into a **CBM Deed**. Said deed allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1, further, specifies how said royalties are to be divided and paid
4. **Reason for Dismissal:** Given legislative action and Supreme Court decision(s) following adoption of the 1990 Act, the Board's policy of identifying a conflict between coal owners and oil and gas owners to protect correlative rights should be changed to a policy of not requiring coal owners to be identified as conflicting claimants, subject to coal owner(s) offering evidence of a viable claim, after receiving notice.
5. **Legal Authority:** Va. Code Ann. §§ 45.1-361.13, 45.1-361.14.B, 45.1-361.15.A.3, B.2, B.10, B.12,361.19.A., 45.1-361.21:1, 45.1-361.22.1, .5, 4VAC25-160-10, 80, *Swords Creek Land Partnership v. Belcher, et al.*, #131590, September 12, 2014.
6. **Exhibits:** The relevant exhibits are annexed to the Notice of Hearing and this Application.
7. **Applicant's standing:** Designated Operator.
8. **Attestation:** The foregoing application, to the best of my knowledge, information and belief, is true and correct.

CNX Gas Company LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER
Applicant

By: 
Anita D. Duty
Pooling Supervisor
2481 John Nash Blvd.
Bluefield, West Virginia 24701

Property lines shown on this plot 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-BA99A
 CBM-AZ98 N 36° 59' 24" W 1998.37'
 CBM-AZ99 N 12° 13' 32" E 1526.04'
 CBM-BA98 N 64° 10' 30" W 1092.74'
 CBM-BA99 N 33° 00' 57" E 720.54'
 CBM-BA100 N 75° 06' 36" E 2050.97'
 CBM-BB98 S 38° 36' 24" W 1942.74'
 CBM-BB99 S 9° 30' 12" W 1187.19'

☉ CBM WELL
 ⊙ PROPOSED CBM WELL

COMMONWEALTH OF VIRGINIA
 Richard C. Murphy
 RICHARD C. MURPHY
 Lic. No. 041898
 03-09-12
 PROFESSIONAL ENGINEER

EXHIBIT A
 NORA FIELD
 UNIT BA99
 FORCE POOLING
 VGOB-04-0120-1252-01

Company CNX Gas Company LLC Well Name and Number UNIT BA99
 Tract No. _____ Elevation _____ Quadrangle BIG A MOUNTAIN
 County BUCHANAN District HURRICANE Scale: 1" = 400' Date _____
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91
 Richard C. Murphy
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)

REVISION

CNX Gas Company LLC

Unit BA 99

Tract Identification (58.79 Acre Unit)

- 1A. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Velma Carol James – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
15.84 Acres 26.9434%
- 1B. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Harrison – Wyatt, LLC – CBM (50%)
CNX Gas Company LLC – CBM Leased
Elizabeth McGlothlin – Surface, Oil and Gas
Elizabeth McGlothlin – CBM (50%)
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.11 Acres 0.1871%
- 1C. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Shirley H. Hess – Surface and All Minerals except Coal
6.19 Acres 10.5290%
- 1D. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Jimmy L. Harris – Surface, Oil and Gas
10.78 Acres 18.3365%
- 1E. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
Harrison – Wyatt, LLC – CBM (50%)
CNX Gas Company LLC – CBM Leased
Lowery R. Childress, et al – Oil and Gas
Lowery R. Childress, et al – CBM (50%)
CNX Gas Company LLC – Oil, Gas and CBM Leased
Lowery R. Childress – Surface,
0.42 Acres 0.7144%
- 1F. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Curtis Austin, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
12.38 Acres 21.0580%

(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.)

REVISION

CNX Gas Company LLC

Unit BA 99

Tract Identification

(58.79 Acre Unit)

- 1G. Harrison – Wyatt, LLC Oxy Tr. 4; ICCO Tr. 816 (1575.5 Acre Tract) - Coal
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Velma Carol James – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
12.62 Acres 21.4662%

2. Harrison – Wyatt, LLC Oxy Tr. 13; ICCO Tr. 818 (154.00 Acre Tract) – All Minerals
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Curtis Austin, et ux – Surface
0.35 Acres 0.5953%

3. Harrison – Wyatt, LLC Oxy Tr. 8; ICCO Tr. 817 (73.00 Acre Tract) – All Minerals
Jewell Smokeless Coal Corporation – Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Edwin McGlothlin, et al – Surface
0.10 Acres 0.1701%

(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 E
Unit BA-99
Docket# VGOB 04-0120-1252-02
List of Owners in escrow, not including persons dismissed on Exhibit B-2
(58.79 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1C - 6.19 acres</u>		
<u>OIL & GAS OWNERSHIP</u>		
(1) Shirley H. Hess 71 Ash St. Honaker, VA 24260	6.19 acres	10.5290%

Exhibit EE
Unit BA-99
Docket# VGOB 04-0120-1252-02
List of Respondents with Royalty Split Agreements and/or Court Orders
(58.79 Acre Unit)

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1A - 15.84 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 <i>(1575.5 Acre Tract)</i>	15.84 acres	26.9434%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Velma Carol James 4565 Old Grissom Creek Rd. Honaker, VA 24260	15.84 acres	26.9434%	<i>n/a</i>
<u>Tract #1B - 0.11 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 <i>(1575.5 Acre Tract)</i>	0.11 acres	0.1871%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Elizabeth McGlothlin Heirs, Devisees, Successors or Assigns	0.11 acres	0.1871%	
(1.0) Ruben Harris Heirs, Devisees, Successors or Assigns			
(2.0) Myrtle Ruth Harris Heirs, Devisees, Successors or Assigns			
(2.1) Elizabeth McGlothlin Heirs, Devisees, Successors or Assigns			
(2.1.1) Dallas McGlothlin			<i>Conveyed 4/16/2012 to Roger and Melissa Baldwin (Instrument # 120</i>
(2.1.1.1) Roger Baldwin P.O. Box 1146 Honaker, VA 24260	0.06 acres 1/2 of 0.11 acres	0.0936%	<i>n/a</i>
(2.1.1.2) Melissa Maxfield PO Box 1265 Honaker, VA 24260	0.06 acres 1/2 of 0.11 acres	0.0936%	<i>n/a</i>
<u>Tract #1D - 10.78 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 <i>(1575.5 Acre Tract)</i>	10.78 acres	18.3365%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Jimmy L. Harris 1700 Township Rd 11 Brinkhaven, OH 43006	10.78 acres	18.3365%	36.7291%
<i>Prevailing plaintiff under Case No. 335-11 Awarded 100% of the CBM royalty.</i>			

Exhibit EE
Unit BA-99
Docket# VGOB 04-0120-1252-02
List of Respondents with Royalty Split Agreements and/or Court Orders
(58.79 Acre Unit)

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1E - 0.42 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 (1575.5 Acre Tract)	0.42 acres	0.7144%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Lowery R. Childress, et al	0.42 acres	0.7144%	
(a) Lowery R. Childress 2371 Nance White Branch Rd. Honaker, VA 24260	0.21 acres 1/2 of 0.42 acres	0.3572%	<i>n/a</i>
(b) Velma A. Childress PO Box 2864 Lebanon, VA 24266	0.21 acres 1/2 of 0.42 acres	0.3572%	<i>n/a</i>
<u>Tract #1F - 12.38 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 (1575.5 Acre Tract)	12.38 acres	21.0580%	21.0903%
<u>OIL & GAS OWNERSHIP</u>			
(1) Curtis Austin Heirs, Devisees, Successors or Assigns			
(a) Clara Dollie Austin 1064 Snoopy Lane Honaker, VA 24260	12.38 acres	21.0580%	21.0903%
<u>Tract #1G - 12.62 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 (1575.5 Acre Tract)	12.62 acres	21.4662%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Velma Carol James 4565 Old Grissom Creek Rd. Honaker, VA 24260	12.62 acres	21.4662%	<i>n/a</i>
	Total Acreage Resolved	52.1500	
	Total Percentage Resolved	88.7056%	

AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA
COUNTY OF **BUCHANAN**

Applicant: CNX Gas Company LLC
Relief Sought: Disbursement Petition for BA99
VGOB: 04-0120-1252-02

I, Anita D. Duty, after being duly sworn upon oath, state as follows:

1. I am the Pooling Supervisor for CNX Land Resources, Inc. and am responsible for the notification process required by Va. Code Ann. §45.1-361.19 of the Code of Virginia and 4VAC25-160-40.
2. That on **March 19, 2015** a true and correct copy of the Notice of Hearing and Exhibits were mailed, via certified mail return receipt requested, based upon information and belief, the names and last-known addresses, where such addresses are known, of the parties owning an interest in this cause are set forth and attached hereto.
3. Notice of this cause has therefore been served by mail pursuant to the applicable statutes and rules of the Board.

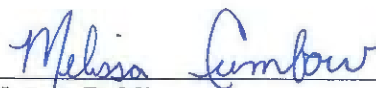


Anita D. Duty
Pooling Supervisor
for CNX Land LLC

STATE OF WEST VIRGINIA

COUNTY OF MERCER, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 2nd day of April,
2015.



Notary Public

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE
CNX Gas Company LLC

Unit BA99 & BA100
VGOB 04-0120-1252-02 & 03-0916-1189-02
Misc. Petition Disbursement

NAME		MAILED	BA99	BA100	RECEIPT #		RECEIVED
Austin	Clara Dollie		x		7014349000007519	0448	3/23/15
Cook	T. Shea		x	x	7014349000007519	0424	3/23/15
Harrison-Wyatt			x	x	7014349000007519	0431	3/22/15
Harris	Jimmy Lee		x	x	7014349000007519	0455	3/21/15

Courtesy Copy

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Terrence Shea Cook
 PO BOX 507
 RICHLANDS VA 24641-0507

COMPLETE THIS SECTION ON DELIVERY

- Signature: *[Signature]*
- Received by (Printed Name): *[Signature]*
- Date of Delivery: *5-23-15*
- Address: *[Address]*
- Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harrison-Wyatt, LLC
 PO BOX 11000
 DANVILLE VA 24543-5017

COMPLETE THIS SECTION ON DELIVERY

- Signature: *[Signature]*
- Received by (Printed Name): *[Signature]*
- Date of Delivery: *3-22-15*
- Address: *[Address]*
- Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jimmy Harris
 1700 TOWNSHIP ROAD 11
 BRINKHAVEN OH 43006-9001

COMPLETE THIS SECTION ON DELIVERY

- Signature: *[Signature]*
- Received by (Printed Name): *[Signature]*
- Date of Delivery: *5-23-15*
- Address: *[Address]*
- Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Clara Dollie Austin
 1064 SNOOPY LN
 HONAKER VA 24260-5196

COMPLETE THIS SECTION ON DELIVERY

- Signature: *[Signature]*
- Received by (Printed Name): *[Signature]*
- Date of Delivery: *3-23-15*
- Address: *[Address]*
- Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

2. Article Number: *7014 3490 0000 7519 0455*

PS Form 3811, July 2013 Domestic Return Receipt

2. Article Number: *7014 3490 0000 7519 0448*

PS Form 3811, July 2013 Domestic Return Receipt

Exhibit J
Unit BA99 Escrow Account Reconciliation
VGOB 04-0120-1252

CNX Deposit Information		
Check Date	Check Number	Total
4/25/2005	49382	\$7,767.18
5/25/2005	50688	\$886.21
6/24/2005	51852	\$473.36
7/25/2005	52890	\$464.63
8/25/2005	54225	\$1,124.76
10/25/2005	56777	\$1,410.00
11/25/2005	58058	\$1,838.18
12/23/2005	59311	\$1,912.55
1/25/2006	61209	\$984.52
2/24/2006	62507	\$1,059.47
3/24/2006	63887	\$974.76
4/25/2006	65246	\$531.80
5/25/2006	66676	\$934.52
5/31/2006	67676	\$1,216.11
6/23/2006	67834	\$1,233.73
7/25/2006	69355	\$1,214.36
8/25/2006	113	\$975.82
9/25/2006	1271	\$971.57
10/25/2006	2676	\$1,259.86
11/25/2006	4106	\$1,031.14
12/25/2006	5679	\$680.42
1/25/2007	6931	\$826.62
1/31/2007	8206	\$483.68
2/25/2007	9335	\$1,575.56
3/25/2007	10869	\$1,086.33
4/25/2007	12317	\$1,168.08
5/25/2007	14941	\$1,415.28
6/25/2007	15939	\$1,370.71
7/25/2007	17401	\$1,404.10
8/25/2007	18889	\$1,374.08
9/25/2007	20484	\$1,258.88
10/25/2007	22058	\$1,053.67
11/25/2007	24239	\$934.03
12/25/2007	25476	\$997.52
1/25/2008	27074	\$793.61
2/25/2008	28723	\$693.26
3/25/2008	30158	\$727.96
4/25/2008	31800	\$1,186.87
5/25/2008	33387	\$1,606.36
6/25/2008	35094	\$1,545.53
7/25/2008	36872	\$1,731.95
8/25/2008	38655	\$1,142.27
9/25/2008	40469	\$1,206.51

Escrow Bank Data														Running Balance	Difference
Date	Escrow Royalty Deposits	Income	\$ Mrket Int	CDARS Int	Fees	Distributions	Corrections	Audit Costs	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance			
12/31/2004	\$16.97	\$0.00				\$0.00					\$0.00	\$16.97	\$0.00	-\$16.97	
1/31/2005	\$0.00	\$0.01				\$0.00					\$0.01	\$16.98	\$0.01	-\$16.97	
2/28/2005	\$0.00	\$0.01				\$0.00					\$0.01	\$16.99	\$0.02	-\$16.97	
3/31/2005	\$0.00	\$0.01				\$0.00					\$0.01	\$17.00	\$0.03	-\$16.97	
4/30/2005	\$7,767.18	\$11.67				\$0.00					\$11.67	\$7,795.85	\$7,778.88	-\$16.97	
5/31/2005	\$886.21	\$12.48				\$0.00					\$12.48	\$8,694.54	\$8,677.57	-\$16.97	
6/30/2005	\$473.36	\$15.00				\$0.00					\$15.00	\$9,182.90	\$9,165.93	-\$16.97	
7/31/2005	\$464.63	\$16.62				\$0.00					\$16.62	\$9,664.15	\$9,647.18	-\$16.97	
8/31/2005	\$1,124.76	\$20.89				\$0.00					\$20.89	\$10,809.80	\$10,792.83	-\$16.97	
9/30/2005	\$0.00	\$22.48				\$0.00					\$22.48	\$10,832.28	\$10,815.31	-\$16.97	
10/31/2005	\$1,410.00	\$26.19				\$0.00					\$26.19	\$12,268.47	\$12,251.50	-\$16.97	
11/30/2005	\$1,838.18	\$30.94				\$0.00					\$30.94	\$14,137.59	\$14,120.62	-\$16.97	
12/31/2005	\$1,912.55	\$33.46				\$0.00					\$33.46	\$16,083.60	\$16,066.63	-\$16.97	
1/31/2006	\$984.52	\$42.20				\$0.00					\$42.20	\$17,110.32	\$17,093.35	-\$16.97	
2/28/2006	\$1,059.47	\$47.20				\$0.00					\$47.20	\$18,216.99	\$18,200.02	-\$16.97	
3/31/2006	\$0.00	\$48.98				\$0.00					\$48.98	\$18,265.97	\$19,223.76	\$957.79	
4/30/2006	\$531.80	\$58.25				\$0.00					\$58.25	\$18,856.02	\$19,813.81	\$957.79	
5/31/2006	\$1,909.28	\$61.88				\$0.00					\$61.88	\$20,827.18	\$20,810.21	-\$16.97	
6/30/2006	\$2,449.84	\$72.34				\$0.00					\$72.34	\$23,349.36	\$22,098.66	-\$1,250.70	
													\$23,332.39	\$23,332.39	
7/31/2006	\$1,214.36	\$76.09				\$0.00					\$76.09	\$24,639.81	\$24,622.84	-\$16.97	
8/31/2006	\$0.00	\$82.88				\$0.00					\$82.88	\$24,722.69	\$25,681.54	\$958.85	
													\$26,653.11	\$26,653.11	
10/31/2006	\$1,259.86	\$101.22				\$0.00					\$101.22	\$28,124.82	\$28,014.19	-\$110.63	
11/30/2006	\$1,031.14	\$108.65			(\$1.91)	\$0.00					\$106.74	\$29,262.70	\$29,152.07	-\$110.63	
12/31/2006	\$680.42	\$113.95			(\$15.63)	\$0.00					\$98.32	\$30,041.44	\$29,930.81	-\$110.63	
1/31/2007	\$826.62	\$109.81				\$0.00					\$109.81	\$30,977.87	\$30,867.24	-\$110.63	
2/28/2007	\$0.00	\$108.52				\$0.00					\$108.52	\$31,086.39	\$31,459.44	\$373.05	
3/31/2007	\$2,059.24	\$105.06				\$0.00					\$105.06	\$33,250.69	\$33,140.06	-\$110.63	
													\$34,226.39	\$34,226.39	
4/30/2007	\$2,254.41	\$124.38				\$0.00					\$124.38	\$35,629.48	\$35,518.85	-\$110.63	
5/31/2007	\$1,415.28	\$121.72				\$0.00					\$121.72	\$37,166.48	\$37,055.85	-\$110.63	
6/30/2007	\$0.00	\$131.59				\$0.00					\$131.59	\$37,298.07	\$38,558.15	\$1,260.08	
7/31/2007	\$2,774.81	\$262.50				\$0.00					\$262.50	\$40,204.13	\$40,224.75	\$20.62	
8/31/2007	\$1,374.08	\$136.78				\$0.00					\$136.78	\$41,714.99	\$41,735.61	\$20.62	
9/30/2007	\$1,258.88	\$223.75				\$0.00					\$223.75	\$43,197.62	\$43,218.24	\$20.62	
10/31/2007	\$0.00	\$144.75				\$0.00					\$144.75	\$43,342.37	\$44,416.66	\$1,074.29	
11/30/2007	\$1,987.70	\$153.46				\$0.00					\$153.46	\$45,483.53	\$45,504.15	\$20.62	
12/31/2007	\$997.52	\$145.32				\$0.00					\$145.32	\$46,626.37	\$46,646.99	\$20.62	
1/31/2008	\$793.61	\$118.17				\$0.00					\$118.17	\$47,538.15	\$47,558.77	\$20.62	
2/29/2008	\$693.26	\$101.98				\$0.00					\$101.98	\$48,333.39	\$48,354.01	\$20.62	
3/31/2008	\$727.96	\$90.52				\$0.00					\$90.52	\$49,151.87	\$49,172.49	\$20.62	
4/30/2008	\$1,186.87	\$68.80				\$0.00					\$68.80	\$50,407.54	\$50,428.16	\$20.62	
5/31/2008	\$1,606.36	\$58.17				\$0.00					\$58.17	\$52,072.07	\$52,092.69	\$20.62	
6/30/2008	\$1,545.53	\$59.67				\$0.00					\$59.67	\$53,677.27	\$53,697.89	\$20.62	
7/31/2008	\$1,731.95	\$59.30				\$0.00					\$59.30	\$55,468.52	\$55,489.14	\$20.62	
8/31/2008	\$1,142.27	\$77.67				\$0.00					\$77.67	\$56,688.46	\$56,709.08	\$20.62	
9/30/2008	\$1,206.51	\$70.62				\$0.00					\$70.62	\$57,965.59	\$57,986.21	\$20.62	

Exhibit J
Unit BA99 Escrow Account Reconciliation
VGOB 04-0120-1252

CNX Deposit Information		
Check Date	Check Number	Total
10/25/2008	42589	\$1,365.59
11/25/2008	45151	\$1,420.49
12/25/2008	47694	\$1,269.62
1/25/2009	49226	\$1,095.65
2/25/2009	52480	\$1,206.29
3/25/2009	54415	\$1,067.85
4/25/2009	55953	\$683.50
5/25/2009	57555	\$640.23
6/25/2009	58859	\$525.96
7/25/2009	60305	\$499.58
8/25/2009	61844	\$531.39
9/25/2009	63239	\$642.52
10/25/2009	64837	\$503.95
11/19/2009	66995	\$366.51
12/18/2009	68928	\$563.92
1/18/2010	70198	\$681.91
2/22/2010	71910	\$706.66
3/22/2010	73456	\$1,103.63
4/20/2010	75305	\$858.86
5/19/2010	77038	\$828.79
6/21/2010	78557	\$564.49
7/20/2010	80251	\$660.86
8/20/2010	81858	\$646.35
9/22/2010	83353	\$773.45
10/19/2010	85913	\$780.18
11/19/2010	88785	\$510.58
12/20/2010	90860	\$551.05
1/20/2011	92121	\$442.76
2/24/2011	93773	\$633.48
3/21/2011	95329	\$643.07
4/20/2011	97114	\$580.40
5/19/2011	98725	\$526.60
6/21/2011	100358	\$559.42
7/19/2011	791	\$589.87
8/19/2011	2675	\$581.88
9/19/2011	4250	\$600.35
10/13/2011	6636	\$577.37
11/14/2011	8938	\$464.56
12/15/2011	10392	\$453.57
1/18/2012	12001	\$408.40
2/20/2012	13719	\$392.43
3/20/2012	15296	\$325.03
4/20/2012	16942	\$238.45
5/21/2012	18483	\$222.14
6/20/2012	19713	\$150.85
7/25/2012	24053	\$145.95
8/30/2012	0214000053	\$200.55
10/2/2012	0214001210	\$263.37

Escrow Bank Data														
Date	Escrow Royalty Deposits	Income	\$ Mkrkt Int	CDARS Int	Fees	Distributions	Corrections	Audit Costs	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance	Running Balance	Difference
10/31/2008	\$1,365.59	\$57.91				\$0.00					\$57.91	\$59,389.09	\$59,409.71	\$20.62
11/30/2008	\$1,420.49	\$78.35				\$0.00					\$78.35	\$60,887.93	\$60,908.55	\$20.62
12/31/2008	\$1,269.62	\$32.46				\$0.00					\$32.46	\$62,190.01	\$62,210.63	\$20.62
1/1/2009	\$0.00	\$3.03				\$0.00					\$3.03	\$62,193.04	\$63,309.31	\$1,116.27
2/28/2009	\$2,301.94	(\$5.70)				\$0.00					-\$5.70	\$64,489.28	\$64,509.90	\$20.62
3/31/2009	\$1,067.85	\$15.88				\$0.00					\$15.88	\$65,573.01	\$65,593.63	\$20.62
4/30/2009	\$683.50	(\$10.32)				\$0.00					-\$10.32	\$66,246.19	\$66,266.81	\$20.62
5/31/2009	\$640.23	(\$10.52)				\$0.00					-\$10.52	\$66,875.90	\$66,896.52	\$20.62
6/30/2009	\$525.96	(\$10.95)				\$0.00					-\$10.95	\$67,390.91	\$67,411.53	\$20.62
7/31/2009	\$499.58	(\$11.19)				\$0.00					-\$11.19	\$67,879.30	\$67,899.92	\$20.62
8/31/2009	\$531.39	(\$6.53)				\$0.00					-\$6.53	\$68,404.16	\$68,424.78	\$20.62
9/30/2009	\$642.52	(\$4.64)				\$0.00					-\$4.64	\$69,042.04	\$69,062.66	\$20.62
10/31/2009	\$503.95	(\$5.47)				\$0.00					-\$5.47	\$69,540.52	\$69,561.14	\$20.62
11/30/2009	\$366.51	(\$5.15)				\$0.00					-\$5.15	\$69,901.88	\$69,922.50	\$20.62
12/31/2009	\$563.92	(\$19.50)				\$0.00					-\$19.50	\$70,446.30	\$70,466.92	\$20.62
1/1/2010	\$681.91	\$13.12			\$0.00	\$0.00					\$13.12	\$71,120.23	\$71,161.95	\$41.72
2/1/2010	\$706.66	\$13.68			(\$5.72)	\$0.00					\$7.96	\$71,834.85	\$71,876.57	\$41.72
3/1/2010	\$1,103.63	\$15.29			(\$5.99)	\$0.00		\$0.00			\$9.30	\$72,947.78	\$72,989.50	\$41.72
4/1/2010	\$858.86	\$16.02			(\$6.08)	\$0.00					\$9.94	\$73,816.58	\$73,858.30	\$41.72
5/1/2010	\$828.79	\$14.71			(\$6.15)	\$0.00					\$8.56	\$74,653.93	\$74,695.65	\$41.72
6/1/2010	\$564.49	\$15.35			(\$6.22)	\$0.00	(\$65.92)				-\$56.79	\$75,161.63	\$75,203.35	\$41.72
7/1/2010	\$660.86	\$15.53	\$2.15		(\$6.26)	\$0.00					\$11.42	\$75,833.91	\$75,875.63	\$41.72
8/1/2010	\$646.35	\$13.38	\$5.23		(\$6.32)	\$0.00					\$12.29	\$76,492.55	\$76,534.27	\$41.72
9/1/2010	\$773.45	\$12.55	\$7.40		(\$6.37)	\$0.00					\$13.58	\$77,279.58	\$77,321.30	\$41.72
10/1/2010	\$780.18	\$11.80	\$10.69		(\$6.44)	\$0.00	(\$84.25)				-\$68.20	\$77,991.56	\$78,033.28	\$41.72
11/1/2010	\$510.58	\$10.25	\$13.36		(\$6.50)	\$0.00					\$17.11	\$78,519.25	\$78,560.97	\$41.72
12/1/2010	\$551.05	\$8.08	\$19.89		(\$6.54)	\$0.00	(\$67.77)				-\$46.34	\$79,023.96	\$79,065.68	\$41.72
1/31/2011	\$442.76	\$8.38	\$26.33		(\$7.32)	\$0.00	(\$5.78)				\$21.61	\$79,488.33	\$79,530.05	\$41.72
2/28/2011	\$633.48	\$5.67	\$26.84		(\$6.62)	\$0.00	(\$21.03)				\$4.86	\$80,126.67	\$80,168.39	\$41.72
3/31/2011	\$643.07	\$4.92	\$32.09		(\$6.68)	\$0.00	(\$28.06)				\$2.27	\$80,772.01	\$80,813.73	\$41.72
4/30/2011	\$580.40	\$3.83	\$32.55		(\$6.73)	\$0.00	(\$23.15)				\$6.50	\$81,358.91	\$81,400.63	\$41.72
5/31/2011	\$526.60	\$3.88	\$34.22		(\$6.78)	\$0.00	(\$16.04)				\$15.28	\$81,900.79	\$81,942.51	\$41.72
6/30/2011	\$559.42	\$3.69	\$33.34		(\$6.83)	\$0.00	(\$19.49)	\$0.09			\$10.80	\$82,471.01	\$82,512.73	\$41.72
7/31/2011	\$589.87	\$3.92	\$34.52		(\$6.87)	\$0.00	(\$12.18)				\$19.39	\$83,080.27	\$83,121.99	\$41.72
8/30/2011	\$581.88	\$2.93	\$35.56		(\$6.92)	\$0.00	(\$29.10)				\$2.47	\$83,664.62	\$83,706.34	\$41.72
9/30/2011	\$600.35	\$3.32	\$34.68		(\$6.97)	\$0.00	(\$16.56)				\$14.47	\$84,279.44	\$84,321.16	\$41.72
10/31/2011	\$577.37	\$2.89	\$36.73		(\$7.02)	\$0.00	(\$25.79)				\$6.81	\$84,863.62	\$84,905.34	\$41.72
11/30/2011	\$464.56	\$2.85	\$36.04		(\$7.07)	\$0.00	(\$21.78)				\$10.04	\$85,338.22	\$85,379.94	\$41.72
12/31/2011	\$453.57	\$3.12	\$38.09		(\$7.11)	\$0.00	(\$15.44)				\$18.66	\$85,810.45	\$85,852.17	\$41.72
1/31/2012	\$408.40	\$3.48	\$38.45		(\$7.15)	\$0.00	(\$28.93)				\$5.85	\$86,224.70	\$86,266.42	\$41.72
2/28/2012	\$392.43	\$2.74	\$35.67		(\$7.19)	\$0.00	(\$14.93)				\$16.29	\$86,633.42	\$86,675.14	\$41.72
3/31/2012	\$325.03	\$3.05	\$38.10		(\$7.22)	\$0.00	(\$12.14)				\$21.79	\$86,980.24	\$87,021.96	\$41.72
4/30/2012	\$238.45	\$1.95	\$36.93		(\$7.25)	\$0.00	(\$15.33)				\$16.30	\$87,234.99	\$87,276.71	\$41.72
5/31/2012	\$222.14	\$1.34	\$38.28		(\$7.27)	\$0.00	(\$6.22)				\$26.13	\$87,483.26	\$87,524.98	\$41.72
6/30/2012	\$150.85	\$1.19	\$38.07		(\$7.29)	\$0.00	(\$10.06)				\$21.91	\$87,656.02	\$87,697.74	\$41.72
7/31/2012		\$1.39	\$36.73		(\$7.30)	\$0.00	(\$6.44)				\$24.38	\$87,680.40	\$87,868.07	\$187.67
8/31/2012	\$346.50	\$1.53	\$32.22		(\$7.31)	\$0.00	(\$32.73)				-\$6.29	\$88,020.61	\$88,062.33	\$41.72
9/30/2012		\$1.51	\$29.83		(\$7.34)	\$0.00	(\$8.71)				\$15.29	\$88,035.90	\$88,340.99	\$305.09

Exhibit J
Unit BA99 Escrow Account Reconciliation
VGOB 04-0120-1252

CNX Deposit Information		
Check Date	Check Number	Total
10/30/2012	0214005326	\$293.97
12/3/2012	0214010955	\$216.15
12/31/2012	0214016224	\$291.91
2/1/2013	0214021415	\$354.21
2/20/2013	E000003791	\$376.64
3/20/2013	E000004910	\$316.11
4/21/2013	E000005992	\$260.66
5/21/2013	E000007167	\$342.29
6/19/2013	E000008480	\$382.84
7/22/2013	E000009868	\$400.31
8/20/2013	E000011219	\$374.78
9/20/2013	E000012527	\$331.53
10/21/2013	E000015758	\$288.47
11/19/2013	E000016832	\$297.95
12/18/2013	E000018206	\$292.15
1/21/2014	E000019541	\$298.07
2/24/2014	E000021037	\$344.26
3/20/2014	E000022395	\$492.68
4/22/2014	E000024380	\$562.83
5/19/2014	E000026104	\$466.35
6/20/2014	E000027726	\$386.24
7/18/2014	E000029625	\$413.78
8/20/2014	E000031376	\$383.30
9/18/2014	E000033243	\$351.80
10/20/2014	E000037096	\$276.19
11/19/2014	E000038628	\$266.93
12/22/2014	E000040424	\$274.38
1/20/2015	E000042243	\$283.53

Escrow Bank Data														
Date	Escrow Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Corrections	Audit Costs	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance	Running Balance	Difference
10/31/2012	\$557.34		\$1.54	\$29.80	(\$7.34)		(\$10.90)				\$13.10	\$88,606.34	\$88,648.06	\$41.72
11/30/2012	\$216.15		\$1.65	\$26.68	(\$7.38)		(\$8.75)				\$12.20	\$88,834.69	\$88,876.41	\$41.72
12/31/2012	\$291.91		\$1.63	\$23.64	(\$7.40)		(\$10.43)				\$7.44	\$89,134.04	\$89,175.76	\$41.72
1/31/2013	\$354.21		\$1.65	\$20.89	(\$7.43)		(\$7.97)				\$7.14	\$89,495.39	\$89,537.11	\$41.72
2/28/2013	\$376.64		\$1.42	\$19.17	(\$7.46)		(\$13.94)				-\$0.81	\$89,871.22	\$89,912.94	\$41.72
3/31/2013	\$316.11		\$1.56	\$20.39	(\$7.49)		(\$8.92)				\$5.54	\$90,192.87	\$90,234.59	\$41.72
4/30/2013	\$260.66		\$1.43	\$19.35	(\$7.52)						\$13.26	\$90,466.79	\$90,508.51	\$41.72
5/31/2013	\$342.29		\$1.38	\$20.38	(\$7.54)						\$14.22	\$90,823.30	\$90,865.02	\$41.72
6/30/2013	\$382.84		\$1.20	\$19.72	(\$7.57)		(\$9.03)				\$4.32	\$91,210.46	\$91,252.18	\$41.72
7/31/2013	\$400.31		\$1.30	\$20.48	(\$7.60)						\$14.18	\$91,624.95	\$91,666.67	\$41.72
8/31/2013	\$374.78		\$1.45	\$20.56	(\$7.64)						\$14.37	\$92,014.10	\$92,055.82	\$41.72
9/30/2013	\$331.53		\$0.57	\$21.26	(\$7.67)						\$14.16	\$92,359.79	\$92,401.51	\$41.72
10/31/2013	\$288.47		\$0.53	\$21.95	(\$7.70)						\$14.78	\$92,663.04	\$92,704.76	\$41.72
11/30/2013	\$297.95		\$0.57	\$20.68	(\$7.72)						\$13.53	\$92,974.52	\$93,016.24	\$41.72
12/31/2013	\$292.15		\$0.65	\$21.00	(\$7.75)						\$13.90	\$93,280.57	\$93,322.29	\$41.72
1/31/2014	\$298.07		\$0.73	\$21.53	(\$7.77)						\$14.49	\$93,593.13	\$93,634.85	\$41.72
2/28/2014	\$344.26		\$0.66	\$19.72	(\$7.80)						\$12.58	\$93,949.97	\$93,991.69	\$41.72
3/31/2014	\$492.68		\$0.78	\$22.08	(\$7.83)						\$15.03	\$94,457.68	\$94,499.40	\$41.72
4/30/2014	\$562.83		\$0.86	\$21.40	(\$7.87)						\$14.39	\$95,034.90	\$95,076.62	\$41.72
5/31/2014	\$466.35		\$0.98	\$22.72	(\$7.92)						\$15.78	\$95,517.03	\$95,558.75	\$41.72
6/30/2014	\$386.24		\$0.66	\$23.21	(\$7.96)						\$15.91	\$95,919.18	\$95,960.90	\$41.72
7/31/2014	\$413.78		\$0.32	\$24.01	(\$7.99)						\$16.34	\$96,349.30	\$96,391.02	\$41.72
8/31/2014	\$383.30		\$0.37	\$24.09	(\$8.03)						\$16.43	\$96,749.03	\$96,790.75	\$41.72
9/30/2014	\$351.80		\$0.43	\$22.78	(\$8.03)						\$15.18	\$97,116.01	\$97,157.73	\$41.72
10/31/2014	\$276.19		\$0.49	\$23.32	(\$8.09)						\$15.72	\$97,407.92	\$97,449.64	\$41.72
11/30/2014	\$266.93		\$0.56	\$22.20	(\$8.12)						\$14.64	\$97,689.49	\$97,731.21	\$41.72
12/31/2014	\$274.38		\$1.14	\$18.95	(\$8.12)						\$11.97	\$97,975.84	\$98,017.56	\$41.72
1/31/2015	\$283.53		\$5.05	\$14.41	(\$8.16)						\$11.30	\$98,270.67	\$98,312.39	\$41.72
Total											\$4,113.91			

Total Deposited **\$94,198.48**

Interest & Fees **\$4,113.91**

Grand Total **\$98,312.39**

First Bank and Trust **\$98,270.67**
1/31/2015

difference **-\$41.72**

Exhibit B2
Unit BA-99
Docket# VGOB 04-0120-1252-02
List of Respondents to be Added or Dismissed
(58.79 Acre Unit)

	Acres in Unit	Percent of Unit	Reason for Dismissal
<u>Tract #1C - 6.19 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Oxy Tr.4) ICCC Tr. 816 P.O. Box 11000 Danville, VA 24543 <i>(1575.5 Acre Tract)</i>	6.19 acres		Coal Owner

VIRGINIA: IN THE CIRCUIT COURT OF BUCHANAN COUNTY

JIMMY LEE HARRIS,

Plaintiff

vs.

HARRISON-WYATT, LLC,

Defendant

Case No. 335-11

FINAL ORDER ENTERING JUDGMENT

Upon the motion of Defendant, Harrison-Wyatt, LLC, for entry of judgment, it is; **Adjudged, Ordered and Decreed** that the Defendant, Harrison-Wyatt, LLC, is not the owner of the coal-bed methane gas within the following tracts within the below named and described units permitted pursuant to the Virginia Gas and Oil Act, Va. Code Ann. § 45.1-361.1 et seq.:

- a. From Unit BA-99, Forced Pooling Supplemental Order, Entered March 8, 2005, Regarding Docket No. VGOB-04-120-1252, Tract 1(D) of Exhibit A (BOOK 0613 PAGE 0810) to the order, 10.78 acres; and,


- b. From Unit BA100, Forced Pooling Supplemental Order, Entered March 8, 2005, Regarding Docket No. VGOB-03-0916-1189, Tract 1(G) of Exhibit A (BOOK 0614, pg 0199) to the order, 4.08 acres.

The above described tracts within the named units are referred to in this Order as the ("Subject Properties").

It is further; **Adjudged, Ordered and Decreed** that the Defendant, Harrison-Wyatt, LLC is not entitled to any royalties relating to the extraction of coal-bed methane gas by CNX Gas, LLC from the Subject Properties, and that it is not a conflicting claimant to the ownership of the CBM or the production royalties as identified in submissions made to, and orders entered by, the Virginia Gas and Oil Board with respect to the Subject Properties.

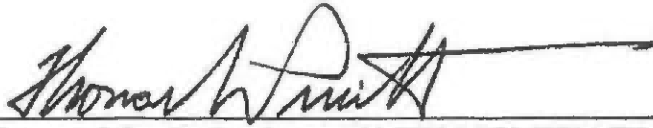
The Defendant's motion for a bill of particulars and demurrer are denied. All other claims asserted by either party against the other are denied, and this action is stricken from the docket of this Court with prejudice to the Plaintiff and Defendant as to any such other claims.

ENTER: This, the 5th day February, 2015.



MICHAEL L. MOORE
~~KEARY R. WILLIAMS~~, JUDGE

REQUESTED:



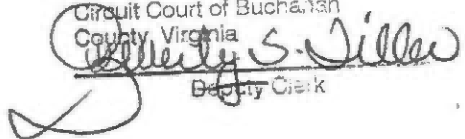
Counsel for Defendant, HARRISON-WYATT, LLC

SEEN:



Counsel for Plaintiffs, T. SHEA COOK, ESQ.

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



Beverly S. Tiller
Deputy Clerk