

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 97-0218-0564-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 12 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: December 15, 2015

DRILLING UNIT: U28

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 627 Claypool Hill Mall Road, Cedar Bluff, VA 24609, (276) 596-5075. 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, attributable to Tract 12, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the following parties; Kendris Harman, Sarah Jane Keen, Henry F. Harman & Walter L. Keen.

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

Kendris Harman, Henry F. Harman & Walter L. Keen is entitled to 100% of the CBM royalties awarded under Case No. CL12-292, Opinion dated January 22, 2015, Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

6. Attestation

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

CONSOL, Inc.
CBM U-28
Tract Identifications
DGO-60-7 Attachment

1. 4/5 Yukon Pocahontas Coal Company, et al - Tr. 110
1/5 C. I. Ritter Lumber Co. Tr. 51
Coal Oil and Gas
Island Creek Coal Company - Coal Below Tiller
Permac Coal Company - Coal above drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
Yukon Pocahontas Coal Company, et al - Surface
24.64 acres - 30.8000%
2. Yukon Pocahontas Coal Company, et al - Tr. 40
Coal Oil and Gas
Island Creek Coal Company - Coal Below Tiller
Permac Coal Company - Coal above drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
Andrew Deskins - Surface
11.91 acres - 14.8875%
3. Yukon Pocahontas Coal Company, et al - Tr. 40
Coal Oil and Gas
Island Creek Coal Company - Coal Below Tiller
Permac Coal Company - Coal above drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
16.00 acres - 20.0000%
- 3A. B. J. Horton - Surface
- 3B. Ronald Matney - Surface
- 3C. Cody Harman - Surface
4. Yukon Pocahontas Coal Company, et al - Tr. 11-3
Coal Oil and Gas
Island Creek Coal Company - Coal Below Tiller
Permac Coal Company - Coal above drainage
Buchanan Production Company - CBM Lessee
Buchanan Production Company - CBM, Oil & Gas Lessee
6.53 acres - 8.2875%
- 4A. Thelma Addison - Surface
- 4B. Cody Harman - Surface
- 4C. Glenn Matney - Surface
- 4D. B. J. Horton - Surface
- 4E. Yukon Pocahontas Coal Company et al. - Surface

- 4F. Gussie Johnson - Surface
- 4G. Kathy Looney - Surface
- 4H. Larry Stacy - Surface
- 4I. Roscoe Deskins - Surface
- 4J. Cody Harman - Surface
- 4K. Virginia Department of Transportation - Surface
- 5. Hugh MacRae Land Trust - Tr. 17 - Coal- Coal
Coal Lessees
Island Creek Coal Company - Pocahontas No. 3 seam
United Coal Company - Coal above drainage
Consolidation Coal Company - Coal below drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
Gussie Johnson - Surface, Oil & Gas
1.23 acres - 1.5375±
- 6. Hugh MacRae Land Trust - Tr. 17 - Coal
Coal Lessees
Island Creek Coal Company - Pocahontas No. 3 seam
United Coal Company - Coal above drainage
Consolidation Coal Company - Coal below drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
Kathy Looney - Surface, Oil & Gas
0.75 acres - 0.9375±
- 7. Hugh MacRae Land Trust - Tr. 17 - Coal
Coal Lessees
Island Creek Coal Company - Pocahontas No. 3 seam
United Coal Company - Coal above drainage
Consolidation Coal Company - Coal below drainage
Buchanan Production Company - CBM, Oil & Gas Lessee
Selma J. Mullins - Surface, Oil & Gas
0.49 acres - 0.6125±
- 8. Hugh MacRae Land Trust - Tr. 17 - Coal
Coal Lessees
Island Creek Coal Company - Pocahontas No. 3 seam
United Coal Company - Coal above drainage
Consolidation Coal Company - Coal below drainage
Buchanan Production Company - CBM Lessee
Roscoe Deskins - Oil & Gas
5.18 acres - 6.4750±

9. Hugh MacRae Land Trust - Tr. 6 - Coal
 Coal Lessees
 Island Creek Coal Company - Pocahontas No. 3 seam
 United Coal Company - Coal above drainage
 Consolidation Coal Company - Coal below drainage
 Buchanan Production Company - CBM Lessee
 Consolidation Coal Company - Oil & Gas
 3.18 acres - 3.9750%
- 9A. Consolidation Coal Company - Surface
- 9B. Darrell Meadows - Surface
10. Yukon Pocahontas Coal Company, et al - Tr. 99
 Coal, Oil & Gas
 Coal Lessees
 Island Creek Coal Company - Coal Below Tiller
 Jewell Smokeless Coal Corp.
 Pernac, Inc.
 Buchanan Production Company - CBM Lessee
 9.84 acres - 12.3000%
- 10A. Virginia Department of Transportation - Surface
- 10B. Darrell Meadows - Surface
- 10C. Roscoe Deakins - Surface
- 10D. Yukon Pocahontas Coal Company et al. - Surface
- 10E. Gus Vandyke - Surface
11. Hugh MacRae Land Trust - Tr. 17 - Coal
 Coal Lessees
 Island Creek Coal Company - Pocahontas No. 3 seam
 United Coal Company - Coal above drainage
 Consolidation Coal Company - Coal below drainage
 Buchanan Production Company - CBM Lessee
 Larry Stacy - Surface, Oil & Gas
 0.12 acres - 0.1500%
12. Hugh MacRae Land Trust - Tr. 17 - Coal
 Coal Lessees
 Island Creek Coal Company - Pocahontas No. 3 seam
 United Coal Company - Coal above drainage
 Consolidation Coal Company - Coal below drainage
 Buchanan Production Company - CBM Lessee
 A. J. Harman Heirs - Surface, Oil & Gas
 0.03 acres - 0.0375%

Exhibit E
Unit U-28
Docket # VGOB-97-0218-0564-04
List of Respondents that require escrow

	Net Acres in Unit	Interest in Unit	Divison of Interest in		
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%
<u>Tract #1, 24.64 Acre Tract</u>					
<u>COAL OWNERSHIP</u>					
<u>Tract #1, 24.64 Acre Tract</u>					
Yukon Pocahontas Coal Company, et al. Tr. 110	24.64 acres	30.8000%	3.8099%	8.4901%	0.9884%
(1) Yukon Pocahontas Coal Company, et al. <i>(Only 3/5 interest conflicting)</i>	14.78 acres 3/5 of 24.64 acres	18.4800%	2.2860%	5.0941%	0.5931%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	12.32000 acres 1/2 of 24.64 acres	15.4000%	1.9050%	4.2451%	0.4942%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	2.73778 acres 1/9 of 24.64 acres	3.4222%	0.4233%	0.9433%	0.1098%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.36889 acres 1/18 of 24.64 acres	1.7111%	0.2117%	0.4717%	0.0549%
(d) Consolidation Coal Company * 10545 Riverside Dr. Oakwood, VA 24631	8.21333 acres 1/3 of 24.64 acres	10.2667%	1.2700%	2.8300%	0.3295%

* *Note: Plum Creek Timberlands retained their CBM interest, there is no conflict. The royalty for (d) is to be paid to Plum Creek.*

OIL & GAS OWNERSHIP

The ownership listed below is currently being reviewed and documentation is being requested to verify title.

Yukon Pocahontas Coal Co. Tr. 110, et al.	24.64 acres	30.8000%	3.8099%	8.4901%	0.9884%
(3) Walter Wade Heirs					
(a) Carl Wade Heirs, Devisees, Successors or Assigns					
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.41067 acres 1/60 of 24.64 acres	0.5133%	0.0635%	0.1415%	0.0165%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns					
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.20533 acres 1/120 of 24.64 acres	0.2567%	0.0317%	0.0708%	0.0082%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.20533 acres 1/120 of 24.64 acres	0.2567%	0.0317%	0.0708%	0.0082%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.82133 acres 1/30 of 24.64 acres	1.0267%	0.1270%	0.2830%	0.0329%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.82133 acres 1/30 of 24.64 acres	1.0267%	0.1270%	0.2830%	0.0329%
(d) Glayds Wade Boyd P. O. Box 374 Cedar Bluff, VA 24609	0.82133 acres 1/30 of 24.64 acres	1.0267%	0.1270%	0.2830%	0.0329%

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(e)	Vinnie Wade Newberry 17339 Days Point Road Smithfield, VA 23430	0.82133 acres 1/30 of 24.64 acres	1.0267%	0.1270%	0.2830%	0.0329%
(f)	Eady Wade Smith Heirs					
(f.1)	Lula Smith Robins Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.20533 acres 1/120 of 24.64 acres	0.2567%	0.0317%	0.0708%	0.0082%
(f.2)	Tom C. Smith Heirs no issue					
(f.3)	Earl Dolphus Smith Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.20533 acres 1/120 of 24.64 acres	0.2567%	0.0317%	0.0708%	0.0082%
(f.4)	Raymond S. Smith Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.20533 acres 1/120 of 24.64 acres	0.2567%	0.0317%	0.0708%	0.0082%
(f.5)	Luther Smith Heirs, Devisees, Successors or Assigns					
(f.5.1)	Geraldine Smith Heirs, Devisees, Successors or Assigns					
(f.5.1.1)	Lisa Wallace	Predeceased Luther & Geraldine Smith				
(f.5.1.1.1)	Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.01711 acres 1/1440 of 24.64 acres	0.0214%	0.0026%	0.0059%	0.0007%
(f.5.1.1.2)	Scotty Bond Box 82 Swords Creek, VA 24649	0.01711 acres 1/1440 of 24.64 acres	0.0214%	0.0026%	0.0059%	0.0007%
(f.5.2.1)	David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.03422 acres 1/720 of 24.64 acres	0.0428%	0.0053%	0.0118%	0.0014%
(f.5.2.2)	Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.03422 acres 1/720 of 24.64 acres	0.0428%	0.0053%	0.0118%	0.0014%
(f.5.2.3)	Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.03422 acres 1/720 of 24.64 acres	0.0428%	0.0053%	0.0118%	0.0014%
(f.5.2.4)	Paul Smith P.O. Box 1143 Claremont, NC 28610	0.03422 acres 1/720 of 24.64 acres	0.0428%	0.0053%	0.0118%	0.0014%
(f.5.2.5)	Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.03422 acres 1/720 of 24.64 acres	0.0428%	0.0053%	0.0118%	0.0014%
(4)	Myrta N. Ratliff Heirs, Devisees, Successors or Assigns Address Unknown	4.92800 acres 1/5 of 24.64 acres	6.1600%	0.7620%	1.6980%	0.1977%
(5)	Mona Webb Heirs, Devisees, Successors or Assigns					
(d)	Virginia W. Cole Heirs Devisees, Successors or Assigns					
(d.3)	Melissa M. Turner 3480 Eaglebrook Rd. Christiansburg, VA 24073	0.08800 acres 1/280 of 24.64 acres	0.1100%	0.0136%	0.0303%	0.0035%

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			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%
(d.4) Maura Nichole Turner 3480 Eaglebrook Rd. Christiansburg, VA 24073	0.08800 acres 1/280 of 24.64 acres	0.1100%	0.0136%	0.0303%	0.0035%
(d.5) Garrett Reid Turner 3480 Eaglebrook Rd. Christiansburg, VA 24073	0.08800 acres 1/280 of 24.64 acres	0.1100%	0.0136%	0.0303%	0.0035%
(d.6) Jordyn Noelle Turner 3480 Eaglebrook Rd. Christiansburg, VA 24073	0.08800 acres 1/280 of 24.64 acres	0.1100%	0.0136%	0.0303%	0.0035%
(g) Robert W. Casey P. O. Box 45 Shortt Gap, VA 24647	0.70400 acres 1/35 of 24.64 acres	0.8800%	0.1089%	0.2426%	0.0282%
Total tract acres		10.91			
Total tract percent		13.6400%			

Tract #5, 1.23 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	1.23 acres	1.5375%	0.1902%	0.4238%	0.0493%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.
Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

W9 pending

(1) Gussie Johnson Rt. 1 Box 165 Raven, VA 24639	1.23 acres	1.5375%	0.1902%	0.4238%	0.0493%
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Tract #6, 0.75 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	0.75 acres	0.9375%	0.1160%	0.2584%	0.0301%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.
Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

W9 pending

(1) Kathy Looney Rt. 1 Box 162A Raven, VA 24639	0.75 acres	0.9375%	0.1160%	0.2584%	0.0301%
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Exhibit E
Unit U-28
Docket # VGOB-97-0218-0564-04
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	Net Acres in Unit	Interest in Unit	Division of Interest in		
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%

Tract #7, 0.49 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	0.49 acres	0.6125%	0.0758%	0.1688%	0.0197%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.
Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

W9 pending

(1) Selma June Mullins Box 492 Keen Mountain, VA 24624	0.49 acres	0.6125%	0.0758%	0.1688%	0.0197%
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Tract #11, 0.12 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	0.12 acres	0.1500%	0.0186%	0.0413%	0.0048%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.
Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

W9 pending

(1) Larry Stacy Rt. 1, Box 162 Raven, VA 24639	0.12 acres	0.1500%	0.0186%	0.0413%	0.0048%
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Tract #12, 0.03 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	0.03 acres	0.0375%	0.0046%	0.0103%	0.0012%
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.
Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

Exhibit E
Unit U-28
Docket # VGOB-97-0218-0564-04
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	Net Acres in Unit	Interest in Unit	Division of Interest in		
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%
<u>OIL & GAS OWNERSHIP</u>					
A.J. Harman heirs, et al (25.83 acres)	0.03 acres	0.0375%	0.0046%	0.0103%	0.0012%
(1) A.J. Harman Heirs, Devisees, Successors or Assigns					
(a.8) Ruth H. Baldwin	Conveyed Interest to Walter Lee Keen & Sarah Jane Keen Deed Book 157, Page 358				
(a.9) Glen Harman	Conveyed Interest to Walter Lee Keen & Sarah Jane Keen Deed Book 157, Page 358				
(a.10) Sarah Jane Keen PO Box 447 Raven, VA 24639	0.005 acres 2/11 of 0.03 acres	0.0068%	0.0008%	0.0019%	0.0002%
<i>Sarah Jane Keen not included in Case No. CL 12-292</i>					
			Acreage in Unit Percentage of Unit	13.51	16.8843%

Exhibit EE
Unit U-28
Docket #VGOB 97-0218-0564-04
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of Interest in			Percent of Escrow
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%	
<u>Tract #1, 24.64 Acre Tract</u>						
<u>COAL OWNERSHIP</u>						
(1) Yukon Pocahontas Coal Company et al., Tr.110 <i>(Only 3/5 interest conflicting)</i>	24.64 acres	30.8000%	3.8099%	8.4901%	0.9884%	
(1) Yukon Pocahontas Coal Company, et al. <i>(Only 3/5 interest conflicting)</i>	14.78 acres 3/5 of 24.64 acres	18.4800%	2.2860%	5.0941%	0.5931%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	7.39200 acres 1/2 of 24.64 acres	9.2400%	1.1430%	2.5470%	0.2965%	n/a
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	1.64267 acres 1/9 of 24.64 acres	2.0533%	0.2540%	0.5660%	0.0659%	n/a
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.82133 acres 1/18 of 24.64 acres	1.0267%	0.1270%	0.2830%	0.0329%	n/a
(d) Consolidation Coal Company * 10545 Riverside Dr. Oakwood, VA 24631	4.92800 acres 1/3 of 24.64 acres					
<u>Royalties Paid to:</u>						
Plum Creek Timberlands, L.P. Attn: Mineral Department Five Concourse Parkway, Suite 1650 Atlanta, GA 30328	4.92800 acres 1/3 of 24.64 acres	6.1600%	0.7620%	1.6980%	0.1977%	n/a
* Note: Plum Creek Timberlands retained their CBM interest, there is no conflict. The royalty for (d) is to be paid to Plum Creek.						
<u>OIL & GAS OWNERSHIP</u>						
Yukon Pocahontas Coal Co. Tr. 110, et al.	24.64 acres	30.8000%	3.8099%	8.4901%	0.9884%	
(5) Mona Webb Heirs, Devisees, Successors or Assigns						
(a) Harold Webb Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.70400 acres 1/35 of 24.64 acres	0.8800%	0.1089%	0.2426%	0.0282%	n/a
(b) Harman Webb 106 3rd Avenue Richlands, VA 24641	0.70400 acres 1/35 of 24.64 acres	0.8800%	0.1089%	0.2426%	0.0282%	n/a
(c) John Webb P. O.Box 577 Keen Mountain, VA 24624	0.70400 acres 1/35 of 24.64 acres	0.8800%	0.1089%	0.2426%	0.0282%	n/a
(d) Virginia W. Cole Heirs Devisees, Successors or Assigns						
(d.1) Carol Cole Ownbey 2908 Valley Farm Road Waxhaw, North Carolina 28173	0.17600 acres 1/140 of 24.64 acres	0.2200%	0.0272%	0.0606%	0.0071%	n/a
(d.2) Barbara Cole Maxwell 5780 Chicwood Drive Pulaski, VA 24301	0.17600 acres 1/140 of 24.64 acres	0.2200%	0.0272%	0.0606%	0.0071%	n/a
(e) Emma R. Hurbert Heirs, Devisees, Successors, or Assigns						
(e.1) Bill Chambers 8940 Mill Creek Road Millboro, VA 24460	0.70400 acres 1/35 of 2.14 acres	0.8800%	0.1089%	0.2426%	0.0282%	n/a

Exhibit EE
Unit U-28
Docket #VGOB 97-0218-0564-04
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Divison of Interest in			Percent of Escrow
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%	
(f) Ruby W. Wells 5980 Pearl Road Parma Heights, OH 44130	0.70400 acres 1/35 of 24.64 acres	0.8800%	0.1089%	0.2426%	0.0282%	n/a
	Total tract acres 3.87					
	Total tract percent 4.8400%					

Tract #8, 5.18 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	5.18 acres	6.4750%	0.8010%	1.7849%	0.2078%	n/a
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.

Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

(1) Roscoe Reuben Deskins Sr. Heirs, Devisees, Successors or Assigns	5.18 acres	6.4750%	0.8010%	1.7849%	0.2078%	
(a) Roscoe Deskins, Jr. 1728 Wardell Rd. Cedar Bluff, VA 24609	2.59 acres 1/2 of 5.18 acres	3.2375%	0.4005%	0.8924%	0.1039%	n/a
(b) Calvin Eddie Deskins 6972 Riverside Raven, VA 24639	2.59 acres 1/2 of 5.18 acres	3.2375%	0.4005%	0.8924%	0.1039%	n/a

Tract #9, 3.18 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	3.18 acres	3.9750%	0.4917%	1.0957%	0.1276%	n/a
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By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.

Torch Oil and Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, NM 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC (Consolidation Coal Company) 2481 John Nash Blvd. Bluefield, WV 24701	3.18 acres	3.9750%	0.4917%	1.0957%	0.1276%	n/a
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Tract #12, 0.03 Acre Tract

COAL OWNERSHIP

(1) Hugh MacRae Land Trust, Tr. 17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	0.03 acres	0.0375%	0.0046%	0.0103%	0.0012%	n/a
--	------------	---------	---------	---------	---------	-----

By Assignment and Bill of Sale, HMLT devised all of its right, title and interest (other than "Excluded Assets") to Torch Energy Advisors Inc. effective September 4, 1991 and recorded in Buchanan County under DB474 / PG384.

Exhibit EE
Unit U-28
Docket #VGOB 97-0218-0564-04
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of Interest in			Percent of Escrow
			2 Left 12.3699%	3 Left 27.5653%	4 Left 3.2092%	
Torch Oil and Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030						
OIL & GAS OWNERSHIP						
A.J. Harman heirs, et al (25.83 acres)	0.03 acres	0.0375%	0.0046%	0.0103%	0.0012%	
(1) A.J. Harman Heirs, Devisees, Successors or Assigns						
(a) Lydia M. Harman	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.1) Luthur Harman Heirs, Devisees, Successors or Assigns						
(a.1.1) Julia Harman	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.2) S.W. Harman	Conveyed Interest to Kendris Harman Deed Book 214, Page 154					
(a.2.1) Kendris Harman PO Box 144 Tazewell, VA 24651	0.003 acres 1/11 of 0.03 acres	0.0034%	0.0004%	0.0009%	0.0001%	0.0202%
(a.3) Virgie H. Keen	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.4) Ollie H. Shortridge	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.5) Eva H. Ratliff	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.6) Evelyn H. Ford	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.7) Mazy H. Grizzle	Conveyed Interest to Walter Lee Keen & Henry Harman Deed Book 157, Page 360					
(a.11) Henry F. Harman 21363 Slim Road Abingdon, VA 24211-6286	0.011 acres 4/11 of 0.03 acres	0.0136%	0.0017%	0.0038%	0.0004%	0.0806%
(2) Walter L. Keen P.O. Box 447 Raven, VA 24639	0.011 acres 4/11 of 0.03 acres	0.0136%	0.0017%	0.0038%	0.0004%	0.0806%
<i>Prevailing plaintiff under Case No. CL 12-292 Awarded 100% of the CBM royalty.</i>						
			Acreage in Unit Percentage of Unit		12.23	15.2900%



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Updated Delivery Day: Tuesday, December 8, 2015

Product & Tracking Information

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DATE & TIME	STATUS OF ITEM	LOCATION
December 8, 2015 , 9:13 am	Available for Pickup	DORAN, VA 24612
Your item arrived at the DORAN, VA 24612 post office at 9:13 am on December 8, 2015 and is ready for pickup.		
December 8, 2015 , 8:49 am	Arrived at Unit	DORAN, VA 24612
December 8, 2015 , 12:04 am	Departed USPS Facility	CHARLESTON, WV 25350
December 7, 2015 , 8:44 pm	Arrived at USPS Facility	CHARLESTON, WV 25350
December 7, 2015 , 11:08 am	Arrived at USPS Facility	RICHLANDS, VA 24641
December 5, 2015 , 8:08 pm	Departed USPS Facility	CHARLESTON, WV 25350
December 4, 2015 , 9:51 pm	Arrived at USPS Facility	CHARLESTON, WV 25350

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AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA
COUNTY OF **BUCHANAN**

Applicant: CNX Gas Company LLC
Relief Sought: Disbursement Petition for U28
VGOB: 97-0218-0564-04

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

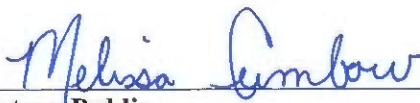
1. I am the Pooling Supervisor for CNX Land Resources, Inc. and am responsible for the notification process required by Va. Code Ann. §45.1-361.19 of the Code of Virginia and 4VAC25-160-40.
2. That on November 13, 2015 a true and correct copy of the Notice of Hearing and Exhibits were mailed, via certified 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 4th day of December,
2015.


Notary Public

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE

CNX Gas Company LLC

Unit VP2SGU1 (underlying units U27, U28, V28, V29, V30, V31)

VGOB 02-0319-1008-04

Unit V28

VGOB 96-0116-0530-04

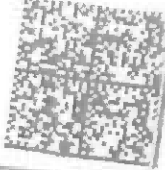
Unit U28

VGOB 97-0218-0564-04

Disbursement

Last Name	First Name	MAILED	RECEIPT #		Received
Harman	Henry F	11/13/15	7008183000000135	7425	11/18/2015
Harman	Kendris	11/13/15	7008183000000135	7432	11/19/2015
Keen	Walter L	11/13/15	7008183000000135	7449	Returned, Remaild 12/4/2015
Keen	Walter L	12/4/15	7009082000023065	4956	
Cook	T. Shea	11/13/15	7008183000000135	7418	11/19/2015

courtesy copy



1st Mail
2nd Mail
Priority Mail
DEC 11

INSUFFICIENT ADDRESS
ATTEMPTED NOT KNOWN
NO SIGHT NUMBER AS STREET
NOT DELIVERABLE AS STREET
UNABLE TO FORWARD
OTHER

Walter L Keen
PO Box 447
Richlands VA 24641-0447

TRACKED
INSURED

PRIORITY MAIL

Handwritten signature/initials

CERTIFIED MAIL



7508 1830 0000 0135 7449

DNX Gas Company LLC
Attn: Pooling
P.O. Box 570
Founding Mill, VA 24637

REASON CODE
Insufficient Address
No such street
No such office in city

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:

Walter L Keen
PO Box 447
Richlands VA 24641-0447

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7008 1830 0000 0135 7449

VP2SCUI V28 U28

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

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 Carolyn Horton 11-19-15

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. 7008 1830 0000 0135 7418

VP25GU1 V28
U28 Disb

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

Kendris Harman
 PO Box 144
 Tazewell VA 24651

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. 7008 1830 0000 0135 7432

VP25GU1 V28 U28

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

Henry Harman
 21363 ~~Slim Rd~~ SIMS RD
 Abingdon VA 24211-6286

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 HENRY HARMAN 11/18/15

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. 7008 1830 0000 0135 7425

VP25GU1 V28 U28

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**Exhibit J
Unit U28 Revenue Check Detail
VGOB 97-0218-0564**

CNX Deposit Information		
Check Date	Check Number	Total
10/24/1998	4432	\$5,897.59
11/25/1998	4564	\$424.33
12/24/1998	4865	\$1,395.94
1/25/1999	5051	\$1,458.47
2/25/1999	5240	\$1,814.52
3/25/1999	5430	\$1,469.64
4/24/1999	5589	\$1,666.80
5/25/1999	5740	\$1,572.92
6/25/1999	5915	\$3,268.91
7/24/1999	6096	\$1,906.59
8/25/1999	6332	\$857.27
9/25/1999	6555	\$763.30
10/25/1999	6771	\$1,098.26
11/25/1999	7016	\$819.59
12/22/1999	7351	\$541.94
1/25/2000	7561	\$674.69
2/25/2000	7792	\$322.89
3/24/2000	8029	\$280.53
4/25/2000	8281	\$413.72
5/25/2000	8542	\$384.78
6/23/2000	8783	\$521.34
7/25/2000	9032	\$499.83
8/25/2000	9324	\$559.43
9/25/2000	9628	\$890.02
10/25/2000	9938	\$662.15
11/24/2000	10177	\$733.78
12/22/2000	10542	\$620.84
1/25/2001	10841	\$825.42
2/23/2001	11178	\$1,366.82
3/23/2001	11544	\$1,621.19
4/25/2001	11857	\$896.78
5/25/2001	12227	\$849.82
6/25/2001	12553	\$795.59
7/25/2001	12956	\$689.31
8/24/2001	13362	\$578.92
9/25/2001	13696	\$301.09
10/25/2001	14019	\$353.21
11/23/2001	14362	\$173.30
12/24/2001	14824	\$147.87
1/25/2002	15350	\$140.91

Escrow Bank Data														
Date	Escrow Royalty Deposits	Income	\$ Mrket Int	CDARS Int	Fees	Distributions	Corrections	Audit Costs	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance	Running Balance	Difference
											\$0.00		\$5,897.59	\$5,897.59
											\$0.00		\$6,321.92	\$6,321.92
											\$0.00		\$7,717.86	\$7,717.86
											\$0.00		\$9,176.33	\$9,176.33
											\$0.00		\$10,990.85	\$10,990.85
3/31/1999	\$10,990.85	\$23.81			-\$9.34				\$1.12		\$15.59	\$11,106.44	\$11,006.44	-\$100.00
4/30/1999	\$1,469.64	\$64.55			-\$20.54				-\$4.43		\$39.58	\$1,215.66	\$12,515.66	\$11,300.00
5/31/1999	\$1,666.80	\$54.82			-\$22.47				-\$14.20		\$18.15	\$14,200.61	\$14,200.61	\$0.00
6/30/1999	\$1,572.92	\$68.06			-\$22.93				-\$6.97		\$38.16	\$15,811.69	\$15,811.69	\$0.00
7/31/1999	\$3,268.91	\$85.66			-\$23.94				-\$6.11		\$55.61	\$19,136.21	\$19,136.21	\$0.00
8/31/1999	\$1,906.59	\$54.88			-\$26.01				-\$6.09		\$22.78	\$21,065.58	\$21,065.58	\$0.00
9/30/1999	\$857.27	\$116.18			-\$28.50				\$4.55		\$92.23	\$22,015.08	\$22,015.08	\$0.00
10/31/1999	\$763.30	\$89.54			-\$28.34				\$0.89		\$62.09	\$22,840.47	\$22,840.47	\$0.00
11/30/1999	\$1,098.26	\$69.58			-\$29.06				-\$25.55		\$14.97	\$23,953.70	\$23,953.70	\$0.00
12/31/1999	\$1,361.53	\$278.78			-\$29.99				-\$40.87		\$207.92	\$25,523.15	\$24,773.29	\$24,773.29
											\$0.00		\$26,197.84	\$26,197.84
											\$0.00		\$26,520.73	\$26,520.73
											\$0.00		\$26,801.26	\$26,801.26
											\$0.00		\$27,214.98	\$27,214.98
											\$0.00		\$27,599.76	\$27,599.76
											\$0.00		\$28,121.10	\$28,121.10
											\$0.00		\$28,620.93	\$28,620.93
8/31/2000	\$559.43	\$125.99									\$125.99	\$30,005.26	\$29,306.35	-\$698.91
9/30/2000	\$890.02	\$121.74				\$0.00					\$121.74	\$31,017.02	\$30,318.11	-\$698.91
											\$0.00		\$30,980.26	\$30,980.26
											\$1,094.80		\$32,808.84	\$32,808.84
12/31/2000	\$620.84	\$135.20				\$0.00					\$135.20	\$33,448.65	\$33,564.88	\$116.23
1/31/2001	\$825.42	\$145.03				\$0.00					\$145.03	\$34,419.10	\$34,535.33	\$116.23
2/28/2001	\$2,192.24	\$251.01				\$0.00					\$251.01	\$35,891.90	\$36,153.16	\$261.26
3/31/2001	\$1,621.19	\$119.07				\$0.00					\$119.07	\$37,632.16	\$37,893.42	\$261.26
4/30/2001	\$896.78	\$116.90				\$0.00					\$116.90	\$38,645.64	\$38,907.10	\$261.46
5/31/2001	\$849.82	\$100.21				\$0.00					\$100.21	\$39,595.87	\$39,857.13	\$261.26
6/30/2001	\$795.59	\$86.07				\$0.00					\$86.07	\$40,477.53	\$40,738.79	\$261.26
7/31/2001	\$689.31	\$91.73				\$0.00					\$91.73	\$41,258.57	\$41,519.83	\$261.26
8/31/2001	\$578.92	\$89.23				\$0.00					\$89.23	\$41,926.72	\$42,187.98	\$261.26
9/30/2001	\$301.09	\$67.90				\$0.00					\$67.90	\$42,295.71	\$42,556.97	\$261.26
10/31/2001	\$353.21	\$61.51				\$0.00					\$61.51	\$42,710.43	\$42,971.69	\$261.26
11/30/2001	\$173.30	\$48.48				\$0.00					\$48.48	\$42,932.21	\$43,193.47	\$261.26
12/31/2001	\$147.87	\$52.05				\$0.00					\$52.05	\$43,132.13	\$43,393.39	\$261.26
1/31/2002	\$140.91	\$30.99				\$0.00					\$30.99	\$43,304.03	\$43,565.29	\$261.26
2/28/2002	\$0.00	\$22.92				\$0.00					\$22.92	\$43,326.95	\$43,588.21	\$261.26
3/31/2002	\$0.00	\$25.35				\$0.00					\$25.35	\$43,352.30	\$43,613.56	\$261.26
4/30/2002	\$0.00	\$0.00				\$0.00					\$0.00	\$43,352.30	\$43,613.56	\$261.26
5/31/2002	\$0.00	\$28.20				\$0.00					\$28.20	\$43,380.50	\$43,641.76	\$261.26
6/30/2002	\$0.00	\$23.72				\$0.00					\$23.72	\$43,404.22	\$43,665.48	\$261.26
7/31/2002	\$0.00	\$22.42				\$0.00					\$22.42	\$43,426.64	\$43,687.90	\$261.26
8/31/2002	\$0.00	\$23.57				\$0.00					\$23.57	\$43,450.21	\$43,711.47	\$261.26
9/30/2002	\$0.00	\$22.80				\$0.00					\$22.80	\$43,473.01	\$43,734.27	\$261.26
10/31/2002	\$0.00	\$19.29				\$0.00					\$19.29	\$43,492.30	\$43,753.56	\$261.26
11/30/2002	\$0.00	\$21.35				\$0.00					\$21.35	\$43,513.65	\$43,774.91	\$261.26
12/31/2002	\$0.00	\$20.12				\$0.00					\$20.12	\$43,533.77	\$43,795.03	\$261.26
1/31/2003	\$0.00	\$9.88				\$0.00					\$9.88	\$43,543.65	\$43,804.91	\$261.26
2/28/2003	\$0.00	\$9.05				\$0.00					\$9.05	\$43,552.70	\$43,813.96	\$261.26
3/31/2003	\$0.00	\$4.52				\$0.00					\$4.52	\$43,557.22	\$43,818.48	\$261.26

**Exhibit J
Unit U28 Revenue Check Detail
VGOB 97-0218-0564**

CNX Deposit Information		
Check Date	Check Number	Total

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
9/30/2015			\$3.54	\$1.73	(\$2.17)	\$0.00	\$0.00	\$0.00			\$3.10	\$26,037.63	\$26,230.90	\$193.27
										Total	\$9,366.48			

Total Deposited	\$40,260.30
Interest and Fees	\$9,366.48
01 Disbursement	-\$22,865.75
02 Disbursement	-\$2,021.84
Error per DGO, refund	\$11,421.55
03 Disbursement	-\$9,929.84
Total	\$26,230.90

September 2015 First Bank and Trust balance

\$26,037.63

Difference align="right">\$193.27