

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA
§ 45.1-361.26

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT:

An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

JURISDICTION:

Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

UNIT/WELL NAME: AA10

TRACT(S): A portion of 3

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-90-0905-0012-04

APPLICANTS:

CNX Gas Company LLC on behalf of David Price, Kelvin Price, Kermit Price, Mary Elizabeth Shortt, Michael W Price Sr, Russell E Price, Teresa Stevens, Wilma Diane Taylor

HEARING DATE AND LOCATION:

On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 10/17/1990, Recorded on 10/26/1991, Deed Book/Instrument No. 366, Page 409.
2. Supplemental Order Executed 08/23/1993, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415.
3. Modification Order -01 Executed 06/12/2013, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415.

160001557

- 4. Supplemental Order Executed 08/23/1993, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415.
- 5. Disbursement Order -02 Executed 12/18/2014, Recorded on 01/06/2014, Deed Book/Instrument No. 150000014.
- 6. Supplemental Order -01 Executed 02/27/2014, Recorded on 06/13/2014, Deed Book/Instrument No. 140000995.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) A portion of 3 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 3 relative to the interests of the Applicants identified in the attached petition.
- (3) Continue the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

- a. Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price is the gas claimant in Tracts 3. As such Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price are entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price and not escrow same. See Exhibit EE annexed hereto.

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

APPEALS:

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1 -361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 24 day of August, 2016 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert

Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 24th day of August, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Sarah Jessee Gilmer

Sarah Jessee Gilmer, Notary Public
262946



My Commission expires: July 31, 2017

DONE AND PERFORMED this 25 day of August, 2016 by Order of the Virginia Gas and Oil Board.

Rick Cooper

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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 25th day of August, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Sarah Jessee Gilmer

Sarah Jessee Gilmer, Notary Public
262946



My Commission expires: July 31, 2017

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 90-0905-0012-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 3 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: AA10

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (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 3, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price and Russell Eugene Price; (3) Dismissal of Coal Owner: Harrison-Wyatt, LLC.

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. Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price is the gas claimant in Tracts 3. As such Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price are entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Kelvin Price, Teresa Stevens, Michael Wayne Price, Sr., Mary Shortt, Wilma Diane Taylor, David Price, Russell Eugene Price and not escrow same. See Exhibit EE annexed hereto.

6. Attestation

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

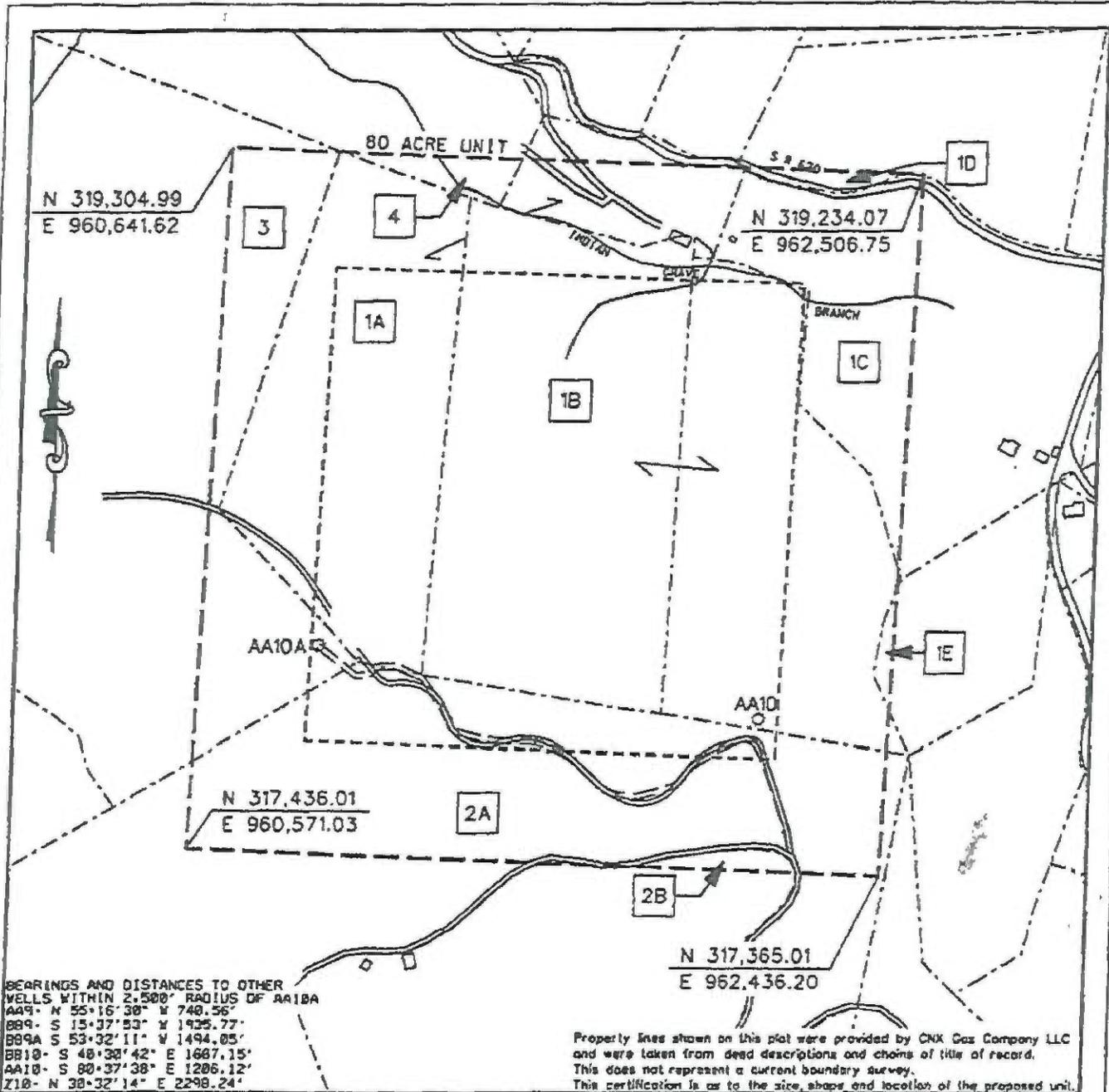


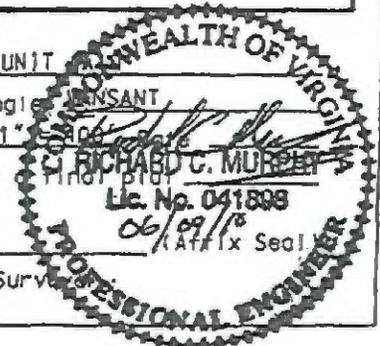
EXHIBIT A
 OAKWOOD FIELD
 UNIT AA10
 FORCE POOLING
 VGOB-90-0905-0012-01

Company CNX Gas Company LLC Well Name and Number UNIT
 Tract No. _____ Elevation _____ Quadrangle WENSANT
 County BUCHANAN District PRATER/HURRICANE Scale: 1" = 400'
 This plot is a new plot x ; an updated plot _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Richard C. Murrill

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
Unit AA 10
 Tract Identifications

1. Harrison-Wyatt, LLC Big Axe Tr. 35 (188.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 54.78 Acres 68.4750%

- 1A. Patsy Hess, et al – Surface Owner
- 1B. Beacher A. Hess – Surface Owner
- 1C. Unknown Surface Owner
- 1D. Unknown Surface Owner
- 1E. Unknown Surface Owner

2. Harrison-Wyatt, LLC Big Axe Tr. 15 (1056.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 17.60 Acres 22.00%

- 2A. Roger W. Street – Surface Owner
- 2B. Unknown Surface Owner

3. Harrison-Wyatt, LLC Big Axe Tr. 39 (435 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 D.W. Price Heirs – Surface, Oil and Gas
 CNX Gas Company LLC – Oil and Gas Leased (75.00%)
 Harrison-Wyatt, LLC, et al – CBM (50%)
 CNX Gas Company LLC – CBM Leased
 6.92 Acres 8.6500%

4. Harrison-Wyatt, LLC Big Axe Tr. 51 (120.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Unknown Surface Owner
 0.70 Acres 0.8750%

Exhibit E
 Unit AA-10
 Docket # VGOB 90-0905-0012-04
 List of all Respondents Requiring Escrow
 (60.00 Acre Unit)

160001557

	Acres in Unit	Percent of Unit
<u>Tract #3 - 6.92 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC Big Ax Tr. 39 (435.00 acres) P.O. Box 11000 Danville, VA 24543	6.92 acres	8.6500%
<u>OIL & GAS OWNERSHIP</u>		
(1) D.W. Price Heirs, Devisees, Successors or Assigns (40 Acre Tract)	6.92 acres	8.6500%
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.</i>		
(b) Carl V. Price Heirs, Devisees, Successors or Assigns		
(b.4) Junior Vidis Price Heirs, Devisees, Successors or Assigns		
(b.4.4) Kyle Price PO Box 1052 Honaker, VA 24260	0.06 acres 1/108 of 6.92 acres	0.0801%
	<u>TOTAL:</u>	
	Acres in Unit Percentage of Unit	0.0641 0.0801%

Docket # VGOB 90-0905-0012-04
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

	Acres In Unit	Percent of Unit	Percent of Escrow
<u>Tract #3 - 6.92 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC Big Ax Tr. 39 (435.00 acres) P.O. Box 11000 Danville, VA 24543	6.92 acres	8.6500%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) D.W. Price Heirs, Devisees, Successors or Assigns (40 Acre Tract)	6.92 acres	8.6500%	
(a) Elizabeth Newberry Heirs, Devisees, Successors or Assigns			
(a.1) Willie Ronald Newberry PO Box 100 Doran, VA 24612	1.15 acres 1/6 of 6.92 acres	1.4417%	n/a
(a.2) Mildred Miller Heirs, Devisees Successors or Assigns			
(a.2.1) Roger L. Miller 3258 Mill Creek Rd. Raven, VA 24639	1.15 acres 1/6 of 6.92 acres	1.4417%	n/a
(a.3) Shirley Blair Heirs, Devisees Successors or Assigns			
(a.3.1) Teresa McGlothlin 757 Barnette St. Richlands, VA 24641	0.58 acres 1/12 of 6.92 acres	0.7208%	n/a
(a.3.2) Sherrie Boyd Street 218 Brown Bottom Lane Cedar Bluff, VA 24609	0.58 acres 1/12 of 6.92 acres	0.7208%	n/a
(b) Carl V. Price Heirs, Devisees, Successors or Assigns			
(b.2) David Price PO Box 871 Honaker, VA 24260	0.58 acres 1/12 of 6.92 acres	0.7208%	21.9515% HB2058
<i>Represented by T. Shea Cook</i>			
(b.3) Michael W. Price, Sr. 12240 Brent Town Road Midland, VA 22728	0.58 acres 1/12 of 6.92 acres	0.7208%	21.9515% HB2058
<i>Represented by T. Shea Cook</i>			
(b.4) Junior Vidis Price Heirs, Devisees, Successors or Assigns			
(b.4.1) Barbara G. Price PO Box 304 Honaker, VA 24260	0.19 acres 1/36 of 6.92 acres	0.2403%	n/a
(b.4.2) Kermit Price 306 Burr Dr. Ruther Glen, VA 22546	0.06 acres 1/108 of 6.92 acres	0.0801%	2.4391% HB2058
(b.4.3) Kelvin Price 1068 Glade Hill Dr. Lebanon, VA 24266-6766	0.06 acres 1/108 of 6.92 acres	0.0801%	2.4391% HB2058
<i>Represented by T. Shea Cook</i>			

Exhibit EE
Unit AA-10
Docket # VGOB 90-0905-0012-04
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

160001557

	Acres in Unit	Percent of Unit	Percent of Escrow
(b.4.5) Wilma Diane Taylor PO Box 1616 Honaker, VA 24260	0.06 acres 1/108 of 6.92 acres	0.0801%	2.4391% HB2058
<i>Represented by T. Shea Cook</i>			
(b.4.6) Teresa Stevens PO Box 76 Rosedale, VA 24280	0.06 acres 1/108 of 6.92 acres	0.0801%	2.4391% HB2058
<i>Represented by T. Shea Cook</i>			
(b.4.7) Juanita Elizabeth Price PO Box 304 Swords Creek, VA 24649	0.06 acres 1/108 of 6.92 acres	0.0801%	n/a
(b.5) Russell E. Price 13 Crater Lane Stafford, VA 22556	0.58 acres 1/12 of 6.92 acres	0.7208%	21.9515% HB2058
<i>Represented by T. Shea Cook</i>			
(b.6) Mary Elizabeth Shortt (aka Marie E) P.O. Box 793 Honaker, VA 24260	0.58 acres 1/12 of 6.92 acres	0.7208%	21.9515% HB2058
<i>Represented by T. Shea Cook</i>			
(b.7) Dorothy Musick Heirs, Devisees, Successors or Assigns			
(b.7.1) Edna Gail Musick 13264 Ritchie Rd. Meadowview, VA 24361	0.19 acres 1/36 of 6.92 acres	0.2403%	n/a
(b.7.2) Tena Dingus 388 Clairmont Circle Castlewood, VA 24224	0.19 acres 1/36 of 6.92 acres	0.2403%	n/a
(b.7.3) Charles Rexford Musick 3329 Carney Farm Lane Portsmouth, VA 23701	0.19 acres 1/36 of 6.92 acres	0.2403%	n/a
<u>TOTAL CONFLICTS RESOLVED:</u>			
	Acreage in Unit	6.8559	
	Percentage of Unit	8.5699%	

INSTRUMENT #160001557
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 30, 2016 AT 02:14PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB