



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: X19

TRACT(S): 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-92-0915-0266-01

APPLICANTS: CNX Gas Company LLC on behalf of Barbara Cook, Betty Lawonne Gibson, Francis Stearns, Harold V Cooke, Kathy Diane Murray, Leslie K Cook, Mamie K Cook, Mary Ann Bartram, Nancy C Duty, Thelma Jean Kline

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 12/14/1992, Recorded on 12/22/1992, Deed Book/Instrument No. 402, Page 479.
2. Supplemental Order Executed 07/22/1993, Recorded on 07/29/1993, Deed Book/Instrument No. 412, Page 119.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 4 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 4 relative to the interests of the Applicants identified in the attached petition.
- (3) Close 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. Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns; is the gas claimant in Tracts 4. As such Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns; 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 Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit X19

VGOB-92-0915-0266-01

Table 1
Tracts: 4

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty		Escrowed		Percent of		Adjustment
			in Tract	Ownership	in Tract	Ownership	Split	Acres	Escrowed	Disbursed	Escrowed	Funds	
		Total acreage in escrow before disbursement							0.08000				
0.0800													
4		Tract 4 (total acreage)											
1	4	Mary Ann Bartram\5321 Leavers Ct Rosedale, MD 21237	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
2	4	Thelma Jean Kline\3707 Overview Dr Fredericksburg, VA 22408	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
3	4	Harold V Cook\PO Box 305 Oakwood VA 24631	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
4	4	Leslie K Cook\6086 W Douneray Loop Crystal River, FL 34429	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
5	4	Mamie K Cook\140505 Watson Lane #1 Woodbridge VA 22193	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
6	4	Barbara Cook\132 Autumn Chase Rd Lebanon, VA 24266-4545	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
7	4	Nancy C Duty\PO Box 816 Grundy VA 24614	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
8	4	Betty Lawonne Gibson\2117 Old York Rd York, SC 29745	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
9	4	Kathy Diane Murray\141 Pine Dr Mt Airy NC 27030	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				
10	4	Francis Stearns\14411 N Fairview Ln Woodbridge, VA 22191	1/10	0.0080	100.00%	0.0080	100.00%	0.0080	10.0000%				

Adjustment Comments:

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 close 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 19 day of October, 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 19th day of October, 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 20 day of October, 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 20th day of October, 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 92-0915-0266-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4 (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: X19**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(s) attributable to Tract(s) 4, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns; (3) Dismissal of Coal Owner(s): T.R. Mullins, et al.

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)

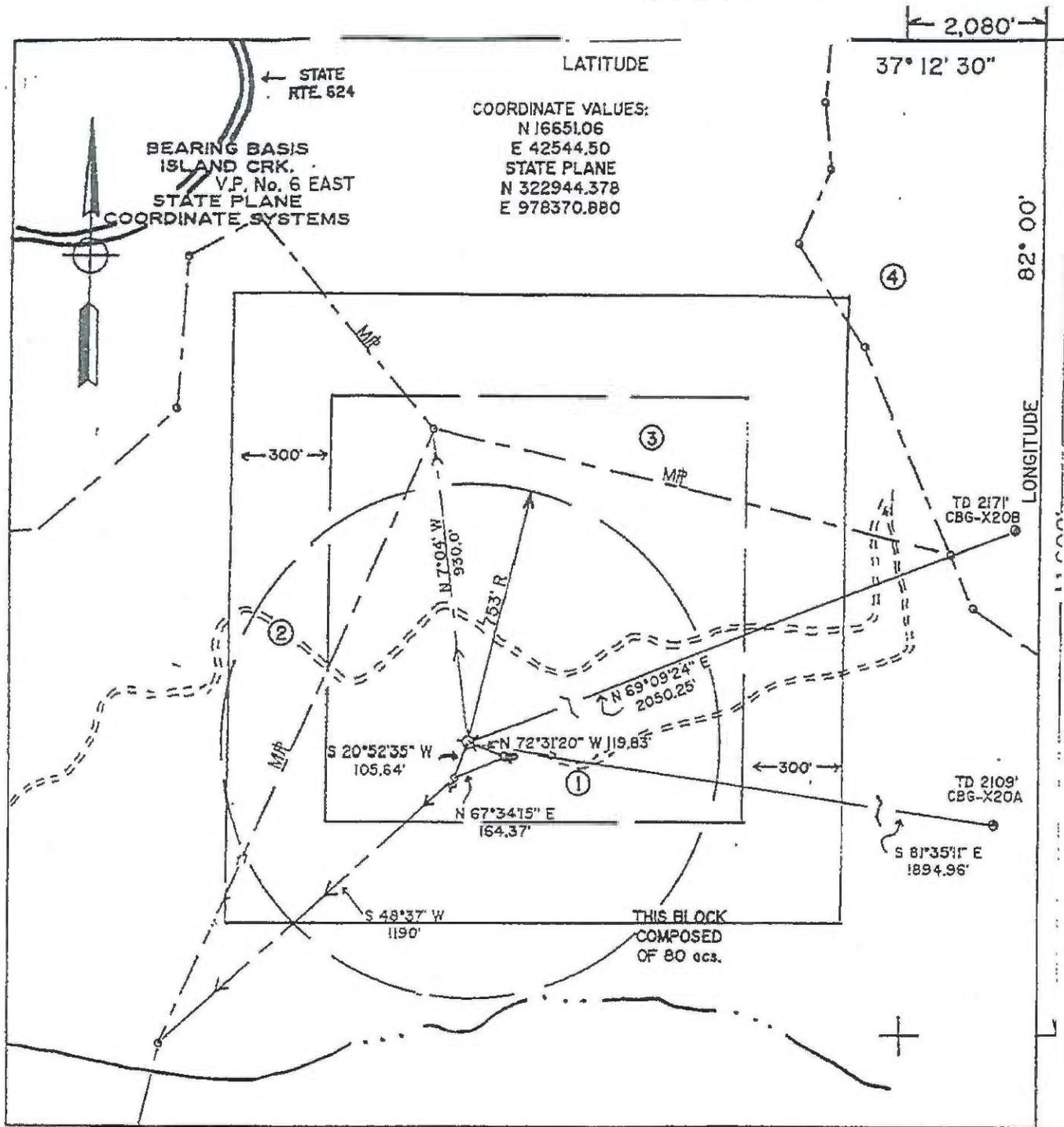
Coalbed Methane

5. Factual basis for relief requested

- a. Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns; is the gas claimant in Tracts 4. As such Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns; 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 Mary Ann Bartram, Thelma Jean Kline, Harold V. Cook, Leslie K. Cook, Mamie K. Cook, Barbara Cook, Nancy C. Duty, Betty L. Gibson, Kathy Diane Murray, Francis C. Stearns 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.



WELL LOCATION PLAT

WELL SUBJECT TO BOARD ORDERS
VGOB-91-1119-162 & VGOB-92-09-15-0266

COMPANY ISLAND CRK. COAL CO. WELL NAME and No. CBG-X19C
 TRACT No. POBST McGUIRE TR. I ELEVATION 2169.65
 COUNTY BUCHANAN DISTRICT HURRICANE SCALE: 1"=400' DATE 7/31/92
 REVISED 10/21/92

THIS PLAT IS A NEW PLAT ; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT

+ DENOTES THE LOCATION OF A WELL ON UNITED STATES TOPOGRAPHIC MAPS, SCALE 1" TO 24,000, LATITUDE AND LONGITUDE LINES BEING REPRESENTED BY BORDER LINES AS SHOWN.

H.C. Van Meter

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

DRM DGO-GO-7
7/9/91

**Well Plat Legend
Property and Lease Information
CBG - X-19B**

1. Surface Island Creek Coal Company
 Coal, Oil & Gas Pobst-McGuire Tract 1
 Oil & Gas Lessee Buchanan Production Company
 Coal Lessee Island Creek Coal Company
 Jewell Smokeless Coal Corporation
 Permac, Inc.
 Coalbed Methane Lessee Buchanan Production Company

1 = 61.04% - 48.83 Acres

2. Surface Island Creek Coal Company
 Coal, Oil & Gas Pobst-McGuire Tract 4
 Oil & Gas Lessees Buchanan Production Company
 Coal Lessee Island Creek Coal Company
 Jewell Smokeless Coal Corporation
 Permac, Inc.
 Coalbed Methane Lessee Buchanan Production Company

2 = 17.33% - 13.87 Acres

3. Coal, Oil & Gas Yukon Pocahontas Coal Co., et al.
 BVP 9
 Oil & Gas Lessee Cabot Oil & Gas Corporation
 Coal Lessee Island Creek Coal Company
 Jewell Smokeless Coal Corporation
 Permac, Inc.
 Coalbed Methane Lessee Buchanan Production Company

3 = 21.53% - 17.22 Acres

4. Coal Mullins Tract 1
 Oil & Gas Gaston Cook Heirs
 Oil & Gas Lessee CNX Gas Company LLC
 Coal Lessee Consolidation Coal Company
 Island Creek Coal Company
 Permac, Inc.
 Coalbed Methane Lessee No Lease of Record

4 = 0.10% - 0.08 Acres

160002063

Exhibit E
Unit X-19
Docket #VGOB 92-0915-0266-01
List of Respondents requiring Escrow
(80 Acre Unit)

Net Acres
in Unit

Interest in
Unit

Escrowing no longer required

Unit X-19
Exhibit EE
Docket #VGOB 92-0915-0266-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

160002063

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #4 - 0.08 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) T.R. Mullins, et al (39 acre tract)	0.08 acres		0.1000%
(a) Theodore A. Mullins Heirs, Devisees, Successors or Assigns			
(a.1) Mildred C. Mullins Heirs, Devisees, Successors or Assigns			
(a.2) Theodore R. Mullins, Jr. Heirs, Devisees, Successors or Assigns	0.03 acres 1/3 of 0.08 acres		0.0333%
(a.2.1) Theodore Blaine Mullins 1550 Summit Drive Charleston, WV 25302			
(a.2.2) Corneia Maurice Mullins PO Box 51 Clendenin, WV 25045			
(a.2.3) Marilyn Mullins 19107 Park Place Blvd. Eustis, FL 32736			
(a.3) Sandra Mullins Gerende 303 Barbour Rd, Unit 901 Morehead City, NC 28557			
(b) John L. Mullins Sr. Heirs, Devisees, Successors or Assigns			
(b.1) George W. Mullins Sr. 165 Miller Road Cottageville, WV 25239	0.01 acres 1/12 of 0.08 acres		0.0083%
(b.2) Joann Barker Heirs, Devisees, Successors or Assigns			
(b.2.1) Robert Barker Heirs, Devisees, Successors or Assigns			
(b.2.1.1) Thomas Joseph Barker 13658 NW 172 Ave Alachua, FL 32615-4453			
(b.2.1.2) Timothy John Barker 3854 Hampton Crest Lane Kennesaw, GA 30152-6990			
(b.2.1.3) Elizabeth Barker 7745 Lupine Drive Blacklick, OH 43004-8062			
(b.2.1.4) Jennifer Marie Wheeler 2151 Eastover Ln Miamisburg, OH 45342-5299			
(b.3) John L. Mullins Jr. Heirs, Devisees, Successors or Assigns			
(b.3.1) Stephanie Mullins-Williams 9409 8th Avenue Orlando, FL 32824			
(b.3.2) John David Mullins 2209 Falls Circle Vero Beach, FL 32967			
(b.3.3) Brandon Overton Mullins 2736 Tolman Ave Palm Bay, FL 32909			
(b.3.4) Heather L. Dawson 317 Broyles Dr. SE			

List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres In Unit	Percent of Unit	Percent of Escrow
Palm Bay, FL 32909			
(b.4) Thomas L. Mullins Heirs, Devisees, Successors or Assigns			
(b.4.1) Karla Jones Mullins 315 Spruce Street Summersville, WV 26651	0.004 acres 1/18 of 0.08 acres	0.0056%	
(b.4.2) Thomas L. Mullins, Jr. PO Box 546 Danville, VA 25053	0.002 acres 1/36 of 0.08 acres	0.0028%	
(c) Augustus C. Mullins Heirs, Devisees, Successors or Assigns			
(c.1) Madeline Hunt 28809 Bennington Drive Wesley Chapel, FL 33544	0.03 acres 1/3 of 0.08 acres	0.0333%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Gaston Cook Heirs, Devisees, Successors or Assigns (95.28 acre tract) <i>(previously shown as Consolidation Coal Company, updated to reflect current title and mapping)</i>	0.08 acres	0.1000%	
(a) Mary Ann Bartram 5321 Leavers Ct Rosedale, MD 21237	0.0080 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(b) Thelma Jean Kline 3707 Overview Drive Fredericksburg, VA 22408	0.0080 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(c) Harold V. Cooke P.O. Box 305 Oakwood, VA 24631	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(d) Leslie K. Cook 6086 W. Douneray Loop Crystal River, FL 34429	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(e) Mamie K. Cook 140505 Watson Lane #1 Woodbridge, VA 22193	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(f) Robert B. Cook Heirs, Devisees, Successors, or Assigns			
(f.1) Barbara Cook 132 Autumn Chase Road Lebanon, VA 24266-4545	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(g) Nancy C. Duty P.O. Box 816 Grundy, VA 24614	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(h) Betty Lawonne Gibson 21117 Old York Road York, SC 29745	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(i) Kathy Diane Murray 141 Pine Drive Mt. Airy, NC 27030	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
(j) Francis C. Hinchee Stearns 14411 North Fairview Lane Woodbridge, VA 22191	0.008 acres 1/10 of 0.08 acres	0.0100%	10.0000% HB2058
	Total Acreage Resolved	0.0800	
	Total Percentage Resolved		0.1000%

\$26
ACV SV

160002063

INSTRUMENT #160002063
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
NOVEMBER 8, 2016 AT 02:00PM

BEVERLY S. TILLER, CLERK
RECORDED BY: VAH