

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: U17

TRACT(S): 6

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-93-0420-0363-03

APPLICANTS:

CNX Gas Company LLC on behalf of Hershell & Rebecca Street

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. Supplemental Order Executed 05/19/1994, Recorded on 05/20/1994, Deed Book/Instrument No. 422, Page 453.
2. Original Pooling Order Executed 08/25/1993, Recorded on 08/31/2003, Deed Book/Instrument No. 413, Page 237.
3. Disbursement Order -01 Executed 09/30/2004, Recorded on 10/05/2004, Deed Book/Instrument No. 604, Page 80.
4. Supplemental Order -02, Recorded on 06/21/2007, Deed Book/Instrument No. 70002304.

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NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 6 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 6 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. Hershel & Rebecca Street is the gas claimant in Tracts 6. As such Hershel & Rebecca Street 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 Hershel & Rebecca Street 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.

160001178

DONE AND EXECUTED this 22 day of June, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

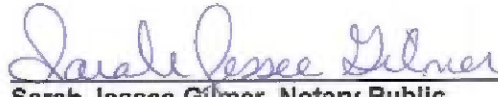
DONE AND PERFORMED this 22 day of June, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd day of June, 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 and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



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 93-0420-0363-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 6 (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: U17**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 6, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Hershel & Rebecca Street; (3) Dismissal of Coal Owner(s): 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

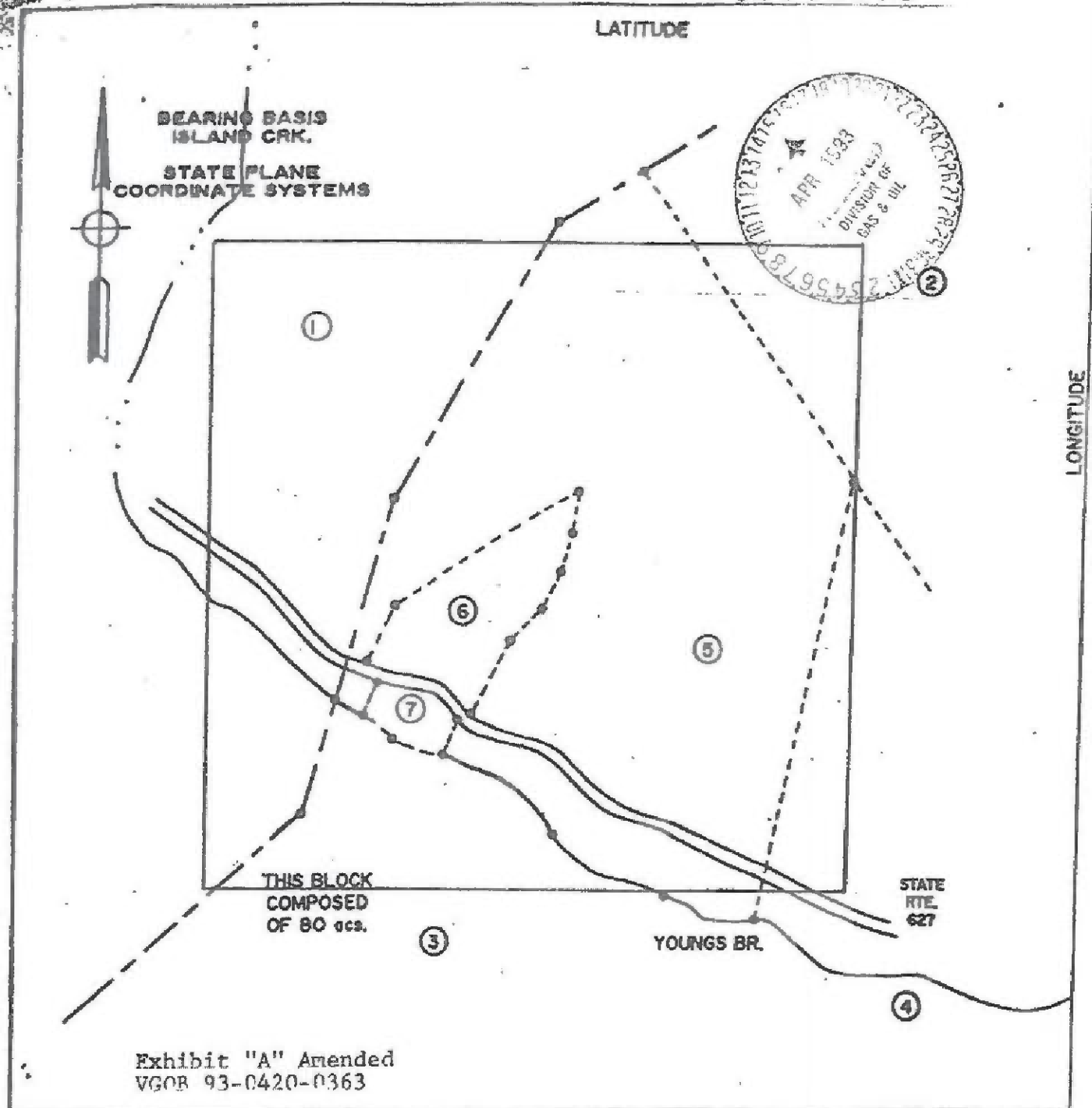
5. Factual basis for relief requested

- a. Hershel & Rebecca Street is the gas claimant in Tracts 6. As such Hershel & Rebecca Street 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 Hershel & Rebecca Street 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.

160001178



WELL LOCATION PLAT

COMPANY OXY USA INC. WELL NAME and No. UNIT U17
 TRACT No. NA ELEVATION NA CHAMBERS CO. VANSANT
 COUNTY BUCHANAN DISTRICT HURRICANE SCALE: 1"=400' DATE 11/4/92

THIS PLAT IS A NEW PLAT X; AN UPDATED PLAT ; OR A FIELD LOCATION PLAT

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

HC Van Meter

ATTACHMENT

Owner	Mineral Ownership	Net Acreage Within Unit	Undivided Net Interest Within Unit
TRACT 2			
Ira Gordon Ratliff Rt. 2 Box 50 Oakwood, VA 24631	Oil & Gas	3.68 ac.	4.82% *
TRACT 3			
Donald & Ann Ratliff Rt. 2 Box 56 Oakwood, VA 24631	Oil & Gas	7.34 ac.	9.18%
TRACT 4			
Dianna L. Graham Box 255 Aylett, VA 23009	Oil & Gas	3.41 ac.	4.27% *
TRACT 5			
Billy & Geneva Ratliff Rt. 2 Box 5 Oakwood, VA 24631	Oil & Gas	38.68 ac.	48.35%
TRACT 6			
Hershel & Rebecca Street Box 143 Rowe, VA 24646	Oil & Gas	3.82 ac.	4.77% *
TRACT 7			
Rodney & Darlene Ratliff Rt. 2 Box 50B Oakwood, VA 24631	Oil & Gas	0.85 ac.	1.06%

* NOTE: Tract may be subject to liens.

ATTACHMENT

Owner	Mineral	Acres	Percent
TRACT 2			
Commonwealth of Virginia c/o James M. Blevins, Jr. Clerk of Court Buchanan County Circuit Court Grundy, VA 24614	Oil & Gas Judgment (Respondent 1.)	4.48 ac.	5.60%
Atlas Sales, Inc. P.O. Box 133 Vansant, VA 24656 Attn.: Mr. Hale	Oil & Gas Judgment (Respondent 1.)	4.48 ac.	5.60%
Grundy National Bank P.O. Box 2080 Grundy, VA 24614	Oil & Gas Judgment (Respondent 1.)	4.48 ac.	5.60%
Buchanan Co. Tax Assessor P.O. Box 950 Grundy, VA 24614 Attn.: Mr. Max Lewis	Oil & Gas Tax Lien (Respondent 1.)	4.48 ac.	5.60%
Buchanan General Hospital Rt. 5 Box 20 Grundy, VA 24614	Oil & Gas Judgment (Respondent 1.)	4.48 ac.	5.60%
U.S. Internal Revenue Service Special Procedure Division P.O. Box 10025 Richmond, VA 23240	Oil & Gas Tax Lien (Respondent 1.)	4.48 ac.	5.60%
TRACT 4			
The Clinic c/o Clinch Valley Physicians, Inc. P.O. Box CVPI Richlands, VA 24641	Oil & Gas Judgment Lien (Respondent 1.)	38.68 ac.	48.35%
Dominion Bankshares Services, Inc. P.O. Box 13327 Roanoke, VA 24040	Oil & Gas Judgment Lien (Respondent 1.)	38.68 ac.	48.35%
Dominion Bank, N.A. P.O. Box 13675 Roanoke, VA 24040	Oil & Gas Judgment Lien (Respondent 1.)	38.68 ac.	48.35%
Robert B. Altizer, Trustee Eric D. Whitesell, Trustee Dollie R. Ratliff, Beneficiary Attorneys at Law Tazewell, VA 24651	Oil & Gas Deed of Trust (Respondent 1.)	38.68 ac.	48.35%
TRACT 6			
Grundy National Bank P.O. Box 2980 Grundy, VA 24614	Oil & Gas Deed of Trust (Respondent 1.)	3.82 ac.	4.77%

* NOTE: Applicant, has under lease or contract the Coalbed Methane Gas underlying the tract(s) within this unit from all other interest owners.

Exhibit E
Unit U-17
Docket # VGOB-93-0420-0363-03
List of Owners/Claimants in Escrow

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	Acres in Unit	Percent of Unit	Division of Interest in	
			1 East	2 East
			15.4930%	26.8990%

Tract #7 - 0.85 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	0.85 acres	1.0625%	0.16461%	0.28580%
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OIL & GAS OWNERSHIP

The respondents listed below did not respond timely to the W9 request and will continue to be escrowed

(1) Rodney Keith Ratliff 1043 Rain Crow Rd. Oakwood, VA 24631	0.85 acres	1.0625%	0.16461%	0.28580%
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Acreage in Unit	0.8500
Percentage of Unit	1.0625%

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

	Acres in Unit	Percent of Unit	Division of interest in		Percent of Escrow
			1 East	2 East	
			15.4930%	26.8990%	

Tract #2 - 3.68 acresCOAL OWNERSHIP

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	3.68 acres	4.6000%	0.71268%	1.23735%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Ira Ratliff and Juanita Ratliff under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

OIL & GAS OWNERSHIP

(1) Ira Gordon Ratliff	3.68 acres	4.6000%	0.71268%	1.23735%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Ira Ratliff and Juanita Ratliff under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

(a) Ira Gordon Ratliff 1181 Youngs Branch Road Oakwood, VA 24631-8505	1.840 acres 1/2 of 3.68 acres	2.3000%	0.35634%	0.61868%	n/a
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****NOTE:** Under Court Order No. 203-92, executed 09/14/10, Connie Marie Ratliff (ex-wife of Ira G. (Rocky) Ratliff) is to receive 50% of the royalties.

(b) Connie Marie Ratliff

****NOTE:** By Assignment Agreement, dated 3/11/11, Connie Ratliff assigned her gas rights to Derrick Brandon Ratliff.

(b.1) Derrick Brandon Ratliff 3792 Poplar Creek Rd. Grundy, VA 24614	1.840 acres 1/2 of 3.68 acres	2.3000%	0.35634%	0.61868%	n/a
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Tract #3 - 7.34 acresCOAL OWNERSHIP

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	7.34 acres	9.1750%	1.42148%	2.46798%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Donald Ratliff, et ux. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

OIL & GAS OWNERSHIP

(1) Donald Ratliff Heirs, Devisees, Successors or Assigns

****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Donald Ratliff, et ux. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

(a) Anna Pearl Ratliff P.O. Box 359 Oakwood, VA 24631	7.34 acres	9.1750%	1.42148%	2.46798%	n/a
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Exhibit EE

Unit U-17

Docket # VGOB-93-0420-0363-03

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

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			1 East	2 East	
			15.4930%	26.8990%	

Tract #4 - 3.41 acres**COAL OWNERSHIP**

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	3.41 acres	4.2625%	0.66039%	1.14657%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Dianna Graham, et vir. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

OIL & GAS OWNERSHIP

(1) Dianna L. Graham P.O. Box 395 Aylett, VA 23009	3.41 acres	4.2625%	0.66039%	1.14657%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Dianna L. Graham, et vir. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

Tract #5 - 38.68 acres**COAL OWNERSHIP**

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	38.68 acres	48.3500%	7.49087%	13.00567%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Bill Ratliff, et ux. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

OIL & GAS OWNERSHIP

(1) Bill Ratliff, et ux. 8771 Garden Creek Road Oakwood, VA 24631	38.68 acres	48.3500%	7.49087%	13.00567%	n/a
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****NOTE:** The CBM ownership was adjudicated to the prevailing plaintiff Bill Ratliff, et ux. under Chancery Case No. 187-00, executed 12/23/02 (DB 42-150) and by the Supreme Court of Virginia decided 03/05/04. *Royalties are to be paid 100% to the prevailing plaintiff.*

Tract #6 - 3.82 acres**COAL OWNERSHIP**

(1) Harrison-Wyatt, LLC OXY Tr 18 / Big Axe Tr 5 (567.00 acre tract) P.O. Box 11000 Danville, VA 24543	3.82 acres	4.7750%	0.73979%	1.28443%	n/a
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OIL & GAS OWNERSHIP

(1) Hershel Jay & Rebecca R. Street, TE 1180 Sandstone Road Oakwood, VA 24631	3.82 acres	4.7750%	0.73979%	1.28443%	81.7987% HB2058
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Acres in Unit 56.9300
Percentage of Unit 71.1625%

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INSTRUMENT #160001178
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JULY 7, 2016 AT 08:57AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB