

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

UNITWELL NAME: X34

TRACT(S): 4A, 4B, 4C, 7

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-97-0318-0572-01

APPLICANTS:

CNX Gas Company LLC on behalf of Charles Dewain Bohon, III, CNX Gas Company LLC,
Commonwealth of Virginia, Dept. of Transportation, Harly Loria, Hurt McGuire Land Trust,
Jennilyn Quillen, Joe Bohon, Paul Bohon

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
November 17, 2015

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 05/16/1997, Recorded on 06/04/1997, Deed Book/Instrument No. 463, Page 2402.
2. Supplemental Order Executed 08/25/1997, Recorded on 09/03/1997, Deed Book/Instrument No. 466, Page 188.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the November 17, 2015 hearing and considered whether to:

150001954

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 4A, 4B, 4C, 7 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 4A, 4B, 4C, 7 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. Harrison-Wyatt LLC and CNX Gas Company LLC have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. The previous conflict with VDOT and CNX Gas Company LLC is no issue now and VDOT can be paid at 100% in Tract 7
- c. Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III & CNX Gas Company LLC are the gas claimants in Tract 4B & 4C As such, is 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.
- d. 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.
- e. 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.
- f. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- g. 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.
- h. 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 CNX Gas Company LLC and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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.

150001954

DONE AND EXECUTED this 18 day of November, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

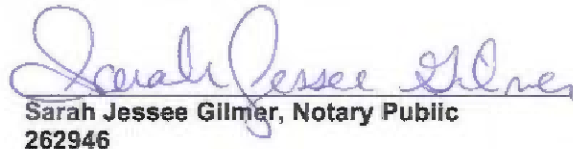
DONE AND PERFORMED this 18 day of November, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 18th day of November, 2015, 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 97-0318-0572-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4A, 4B, 4C, 7 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: November 17, 2015

DRILLING UNIT: X34

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 of Tracts 4A, 4B, 4C & 7, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Hurt McGuire Land Trust, CNX Gas Company LLC, Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, & VDOT.

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

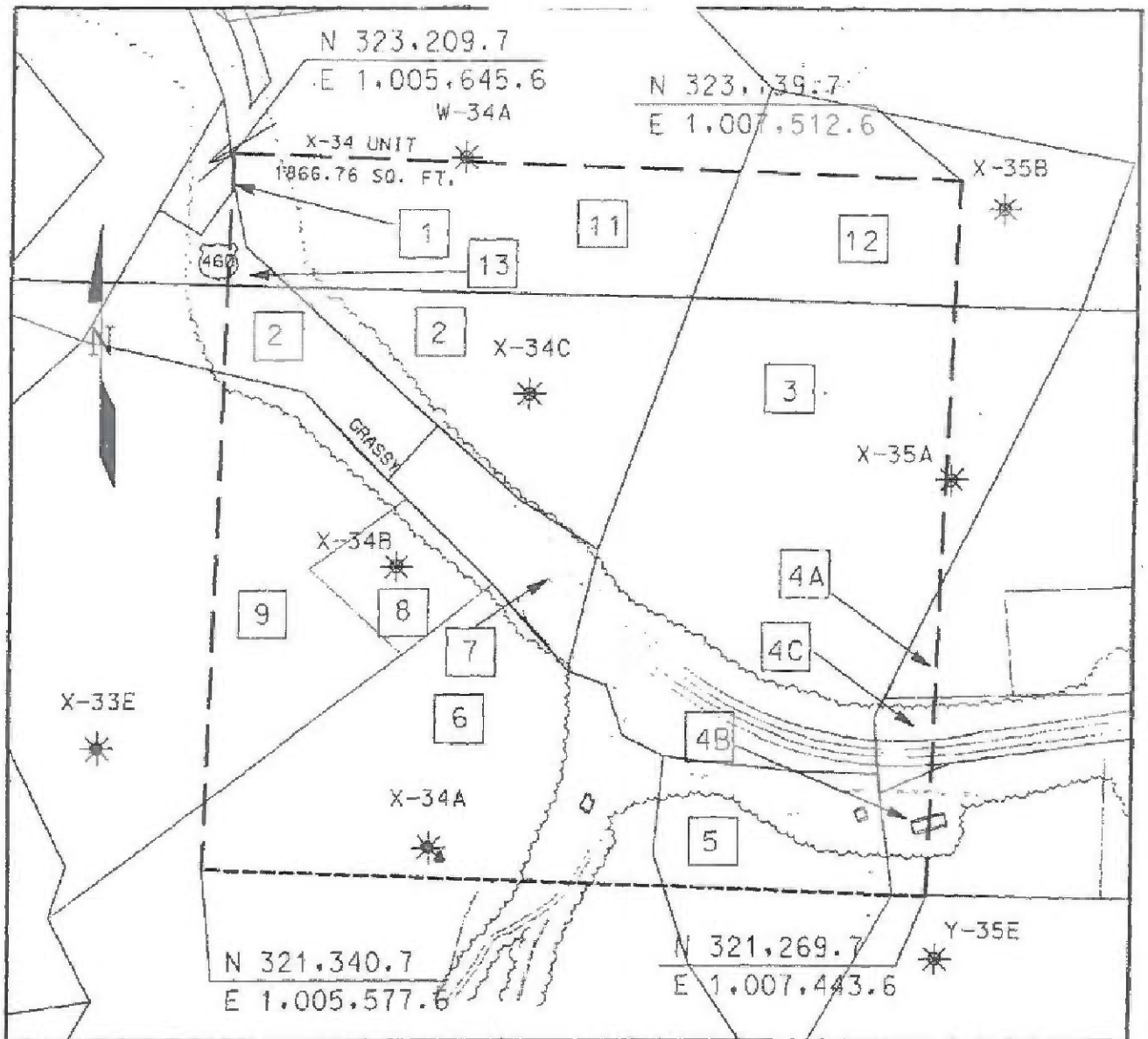
5. Factual basis for relief requested

- a. Harrison-Wyatt LLC and CNX Gas Company LLC have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. The previous conflict with VDOT and CNX Gas Company LLC is no issue now and VDOT can be paid at 100% in Tract 7
- c. Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III & CNX Gas Company LLC are the gas claimants in Tract 4B & 4C As such, is 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.
- d. 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.
- e. 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.
- f. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- g. 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.
- h. 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 CNX Gas Company LLC 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.

150001954



LEGEND

- TRACT LAND HOOK
- EXISTING CBM WELL
- TRACT LAND ID'S
- PROPOSED CBM WELL

EXHIBIT A
OAKWOOD FIELD UNIT X-34
FORCE POOLING
VGOB-97-0318-0572

Company CONSOL Inc. Well Name and Number UNIT X-34
 Tract No. Elevation Quad Keen Mountain
 County Buchanan District Garden Scale: 1" = 400'
 This plot is a new plot X ; an updated plot ; or a final plot

Form DGO-60-7
Rev. 9/91

Claude D. Mays
 Licensed Professional Engineer or Licensed Land Surveyor
 No. 10303 (Affix Seal)

POCAHONTAS GAS PARTNERSHIP

UNIT X34

Tract Identifications

1. Consolidation Coal Co - Coal, Oil & Gas
Pocahontas Gas Partnership - CBM Leased
0.003 acres - 0.00375%
2. Yukon Pocahontas - TR. 96 - Coal, Oil & Gas
Island Creek Coal Co. - Coal below Tiller seam Leased
Consolidation Coal Co. - P3 seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Pocahontas Gas Partnership - CBM Leased
8.24 acres - 10.30%
3. Yukon Pocahontas - TR. 97 - Coal, Oil & Gas
Consolidation Coal Co. - Coal below Tiller seam Leased
Consolidation Coal Co. - P3 seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Pocahontas Gas Partnership - CBM Leased
21.203 acres - 26.50375%
- 4A. Hurt & McGuire - Coal
Consolidation Coal Co. - Coal below Tiller seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Curtis Wade - Surface, Oil & Gas
0.43 acres - 0.5375%
- 4B. Hurt & McGuire - Coal
Consolidation Coal Co. - Coal below Tiller seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Charles Bohon - Surface, Oil & Gas
0.74 acres - 0.925%
- 4C. Hurt & McGuire - Coal
Consolidation Coal Co. - Coal below Tiller seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Ord Wade Heirs - Oil & Gas
VDOT - Surface
0.72 acres - 0.9000%
5. Coal Mountain Mining - Tr. 13 - Coal, Oil & Gas
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Leased
Danny Lowe - Surface
4.941 acres - 6.17625%

UNIT X34
Tract Identifications

6. Coal Mountain Mining - Tr. 12 - Coal, Oil & Gas
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Leased
Grimsley heirs, etal - Surface
13.215 acres - 16.51875%
7. Commonwealth of Virginia - Coal, Oil & Gas
3.006 acres - 3.7575%
8. Coal Mountain Mining - Tr. 12 - Coal, Oil & Gas
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Leased
Consolidation Coal Company - Surface
2.23 acres - 2.7875%
9. Coal Mountain Mining - Tr. 12 - Coal, Oil & Gas
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Leased
Consolidation Coal Company, etal - Surface
7.956 acres - 9.945%
10. Consolidation Coal Co. - Coal, Oil & Gas
Pocahontas Gas Partnership - CBM Leased
2.756 acres - 3.445%
11. Yukon Pocahontas - TR. 96 - Coal, Oil & Gas
Island Creek Coal Co. - Coal below Tiller seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Pocahontas Gas Partnership - CBM Leased
9.48 acres - 11.85%
12. Yukon Pocahontas - TR. 97 - Coal, Oil & Gas
Island Creek Coal Co. - Coal below Tiller seam Leased
Jewell Smokeless Coal - Tiller & above coal Leased
Pocahontas Gas Partnership - CBM Leased
4.75 acres - 5.9375%
13. Consolidation Coal Co. - Coal, Oil & Gas
Pocahontas Gas Partnership - CBM Leased
0.33 acres - 0.4125%

150001954

Exhibit E
Unit X-34
Docket #VGOB 97-0318-0572-01
List of All Owners/Claimants requiring escrow

Net Acres in Unit	Interest in Unit	Division of Interest in		
		11 East	12 East	13 East
		0.8411%	23.6638%	12.3848%

Escrowing not required

150001954

Exhibit EE
Unit X-34
Docket #VGOB 97-0318-0572-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of Interest in			Percent of Escrow
			11 East 0.8411%	12 East 23.6638%	13 East 12.3848%	
<u>Tract #4A - 0.43 acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.43 acres	0.53750%	0.00452%	0.12719%	0.06657%	4.3913% -50%
<u>OIL & GAS OWNERSHIP</u>						
(1) Consolidation Coal Company	CNX Gas Company LLC acquired CBM pursuant to Master Separation Agreement dated Aug 1., 2005					
(a) CNX Gas Company LLC P.O. Box 643830 Canonsburg, PA 15264-3830	0.430 acres	0.53750%	0.00452%	0.12719%	0.06657%	4.3913% -50%
<u>Tract #4B - 0.74 acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.74 acres	0.92500%	0.00778%	0.21889%	0.11456%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) Ann Laura Bohon Heirs, Devisees, Successors or Assigns (previously Charles Bohon)	0.74 acres	0.92500%	0.00778%	0.21889%	0.11456%	
(a) Paul Bohon 22287 Benhams Rd Bristol, VA 24202	0.1480 acres 1/5 of 0.74 acres	0.18500%	0.00156%	0.04378%	0.02291%	3.0229% -100% HB2058
(b) Harry Loria 111 Lazy Trail Penfield, NY 14526-1705	0.1480 acres 1/5 of 0.74 acres	0.18500%	0.00156%	0.04378%	0.02291%	3.0229% -100% HB2058
(c) Jennilyn Quillen 35 Sunset Ridge Ct Gray, TN 37615	0.1480 acres 1/5 of 0.74 acres	0.18500%	0.00156%	0.04378%	0.02291%	3.0229% -100% HB2058
(d) Joe Bohon 1723 Cindy Dr Greenville, TN 37743-5805	0.1480 acres 1/5 of 0.74 acres	0.18500%	0.00156%	0.04378%	0.02291%	3.0229% -100% HB2058
(e) Charles Dewaine Bohon, Jr. Heirs, Devisees, Successors or Assigns						
(e.1) Charles Dewain Bohon, III 12635 Gov. George C. Perry Hwy Pounding Mill, VA 24637	0.1480 acres 1/5 of 0.74 acres	0.18500%	0.00156%	0.04378%	0.02291%	3.0229% -100% HB2058
<u>Tract #4C - 0.72 acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.72 acres	0.90000%	0.00757%	0.21297%	0.11146%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) Ord Wade Heirs, Devisees, Successors or Assigns	Conveyed by deed dated 2/5/1977 & recorded 2/7/1977 in DB 244 PG 152 & re-recorded 9/28/77 in DB 250/PG 777 to Lucy V. Wade, widow, for life & remainder to Curtis Elster Wade					
(a) Lucy V. Wade - D.O.D. 8/1/1980	Life Estate extinguished					
(a.1) Curtis E. & Laura B Wade	Conveyed by deed dated 4/16/1997 & recorded 4/17/1997 in DB 461 PG 311					
(a.1.1) Pocahontas Gas Partnership						
(a.1.1.1) CNX Gas Company LLC P.O. Box 643830 Canonsburg, PA 15264-3830	0.72 acres	0.90000%	0.00757%	0.21297%	0.11146%	14.7059% -100% HB2058

#22
ACV

140,000.00

INSTRUMENT #150001954
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
DECEMBER 2, 2015 AT 08:59AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB