

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: Y35

TRACT(S): 001, 003

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-97-0916-0601-01

APPLICANTS:

CNX Gas Company LLC on behalf of Charles Dewain Bohon, III, CNX Gas Company LLC,
Harty Loria, Jennilyn Quillen, Joe Bohon, Paul Bohon

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 11/13/1997, Recorded on 11/21/1997, Deed Book/Instrument No.
470, Page 286.
2. Supplemental Order Executed 04/22/1998, Recorded on 04/29/1998, Deed Book/Instrument No.
475, Page 343.

NOTICE:

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(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 001, 003 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 001, 003 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. Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & CNX Gas Company LLC is the gas claimant in Tracts 1 & 3 As such Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & CNX Gas Company LLC 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.
- 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 Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & CNX Gas Company LLC and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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Unit Y35

Table 1

Tracts: 001, 003

[illegible]

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.

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DONE AND EXECUTED this 13 day of November, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

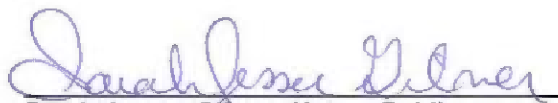
DONE AND PERFORMED this 13 day of November, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 13th 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 97-0916-0601-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 001, 003 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES****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:** Y35**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 Mail 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(s) attributable to of Tract(s) 1 & 3 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III & CNX Gas Company 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)

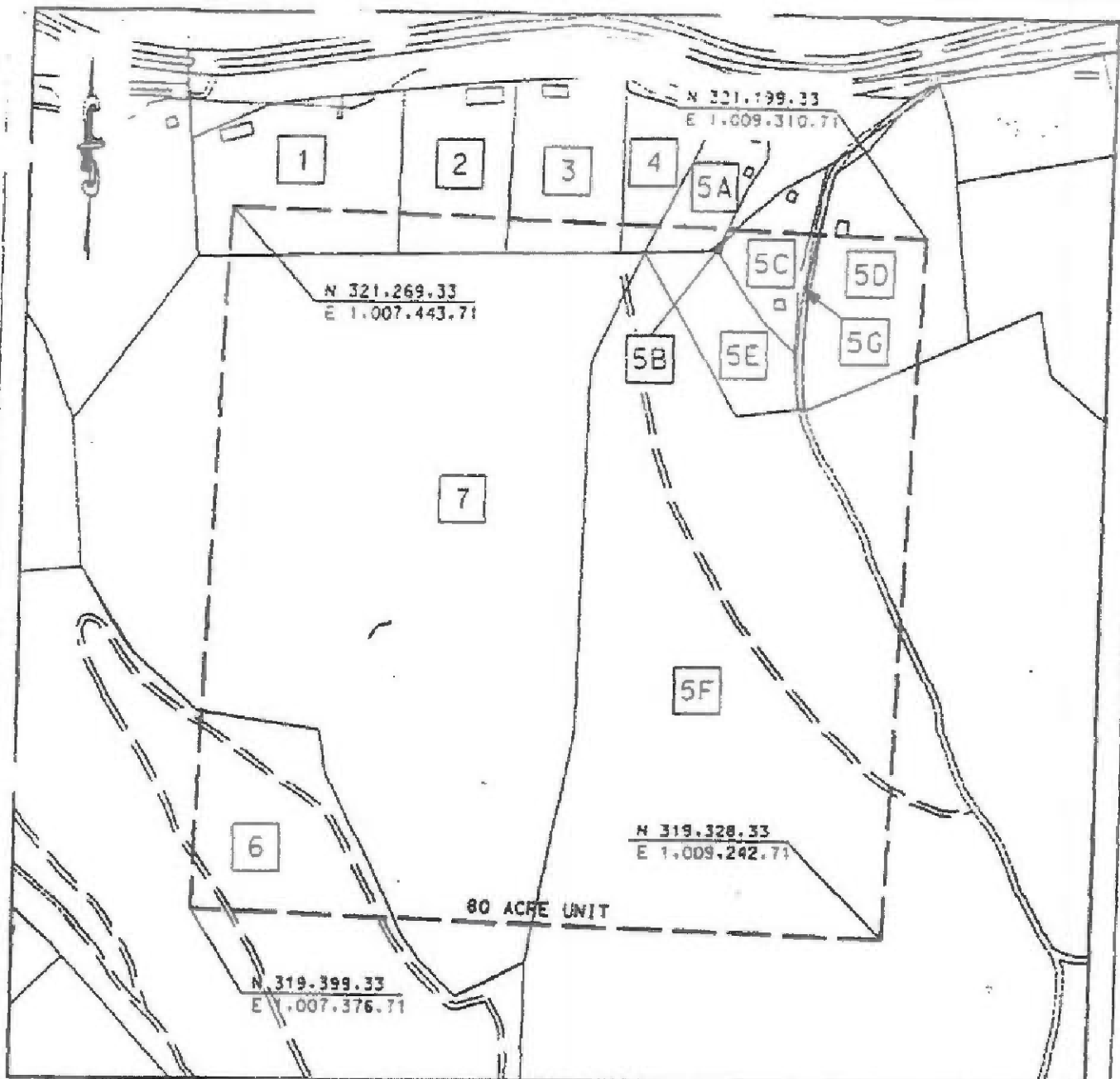
Coalbed Methane

5. Factual basis for relief requested

- a. Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & CNX Gas Company LLC is the gas claimant in Tracts 1 & 3 As such Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & CNX Gas Company LLC 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.
- 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 Paul Bohon, Harty Loria, Jennilyn Quillen, Joe Bohon , Charles Dewain Bohon, III & 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.

**LEGEND**

↖ TRACT LAND HOOK

□ TRACT LAND ID'S

EXHIBIT A
OAKWOOD FIELD UNIT Y-35
FORCE POOLING
VG08-97-09-16-0601

Company Poconantas Gas Partnership Well Name and Number UNIT Y-35
 Tract No. Coal Mountain Elevation _____ Quadrangle Keshu Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 7/28/97
 This plat is a new plat X ; an updated plat _____ ; or a final plat No. _____

Form DGO-GD-T
Rev. 3/91

Charles D. Meyer
Licensed Professional Engineer or Licensed Land Surveyor

10958

(Affix Seal)

UNIT Y-35
Tract Identifications

1. Hurt & McGuire - Coal
 Consolidation Coal Co. - Coal below Tiller seam Leased
 Jewell Smokeless Coal - Tiller & above coal Leased
 Anna L. Bohon - Surface, Oil & Gas
 1.23 acres 1.5375%
2. Hurt & McGuire - Coal
 Consolidation Coal Co. - Coal below Tiller seam Leased
 Jewell Smokeless Coal - Tiller & above coal Leased
 William Larry Engardio - Surface, Oil & Gas
 0.65 acres 0.8125%
3. Hurt & McGuire - Coal
 Consolidation Coal Co. - Coal below Tiller seam Leased
 Jewell Smokeless Coal - Tiller & above coal Leased
 Pocahontas Gas Partnership - Surface, Oil & Gas
 0.57 acres 0.7125%
4. Hurt & McGuire - Coal
 Consolidation Coal Co. - Coal below Tiller seam Leased
 Jewell Smokeless Coal - Tiller & above coal Leased
 Danny Hinkle - Surface, Oil & Gas
 0.13 acres 0.1625%
5. Commonwealth Coal Co. Tr 2 - Coal, Oil & Gas
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Leased
 36.94 acres 46.1750%
- 5A. Danny Hinkle - Surface
- 5B. Hazel Elster - Surface
- 5C. Rhonda Perry - Surface
- 5D. James H. Cook - Surface
- 5E. Ord Wade Heirs - Surface
- 5F. Commonwealth Coal Co. - Surface
- 5G. Commonwealth Coal Co. R/W
6. Coal Mountain Mining Co. Tr 31 - Coal, Oil & Gas
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Consolidation Coal Co. - Surface Rights
 4.85 acres 6.0625%

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7. Coal Mountain Mining Co. Tr 13 - Coal, Oil & Gas
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Leased
Claude Kendrick - Surface
35.63 acres 44.5375%

Exhibit E
Unit Y-35
Docket #VGOB 97-09-16-0601-01
List of Respondents that require escrow

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	Net Acres in Unit	Interest in Unit	Division of Interest in		
			13-East 11.5918%	14-East 23.6241%	15-East 1.6610%

Tract #2 - 0.65 acres

COAL OWNERSHIP

(1)	Hurt McGuire c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.65 acres	0.81250%	0.09418%	0.19195%	0.01350%
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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)	William Larry Engardio 3187 Riverside Dr Raven, VA 24639	0.65 acres	0.81250%	0.09418%	0.19195%	0.01350%
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Tract #4 - 0.13 acres

COAL OWNERSHIP

(1)	Hurt McGuire c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.13 acres	0.16250%	0.01884%	0.03839%	0.00270%
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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)	Danny Hinkle P. O. Box 571 Oakwood, VA 24631	0.13 acres	0.16250%	0.01884%	0.03839%	0.00270%
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Exhibit EE
Unit Y-35

Docket #VGOB 97-09-16-0601-01

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

	Net Acres in Unit	Interest in Unit	Division of Interest in			Percent of Escrow
			13-East 11.5918%	14-East 23.6241%	15-East 1.6810%	

Tract #1 - 1.23 acresCOAL OWNERSHIP

(1) Hurt McGuire c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.23 acres	1.63750%	0.17822%	0.36322%	0.02554%	n/a
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OIL & GAS OWNERSHIP

(1) Ann Laura Bohon Heirs, Devisees, Successors or Assigns	1.23 acres	1.53750%	0.17822%	0.36322%	0.02554%	
(a) Paul Bohon 22287 Benhams Rd Bristol, VA 24202	0.25 acres 1/5 of 1.23 acres	0.30750%	0.03564%	0.07264%	0.00511%	9.5349% HB2058
(b) Harty Loria 111 Lazy Trail Penfield, NY 14526-1705	0.25 acres 1/5 of 1.23 acres	0.30750%	0.03564%	0.07264%	0.00511%	9.5349% HB2058
(c) Jennilyn Quillen 35 Sunset Ridge Ct Gray, TN 37615	0.25 acres 1/5 of 1.23 acres	0.30750%	0.03564%	0.07264%	0.00511%	9.5349% HB2058
(d) Joe Bohon 1723 Cindy Dr Greenville, TN 37743-5805	0.25 acres 1/5 of 1.23 acres	0.30750%	0.03564%	0.07264%	0.00511%	9.5349% HB2058
(e) Charles Dewaine Bohon, Jr. Heirs, Devisees, Successors or Assigns						
(e.1) Charles Dawain Bohon, III 12635 Gov. George C. Perry Hl Pounding Mill, VA 24637	0.25 acres 1/5 of 1.23 acres	0.30750%	0.03564%	0.07264%	0.00511%	9.5349% HB2058

Tract #3 - 0.57 acresCOAL OWNERSHIP

(1) Hurt McGuire c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.57 acres	0.71250%	0.08259%	0.16832%	0.01183%	n/a
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OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC P.O. Box 643830 Canonsburg, PA 15264-3830 (Pocahontas Gas Partnership)	0.57 acres	0.71250%	0.08259%	0.16832%	0.01183%	22.0930% HB2058
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INSTRUMENT #150001955
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
DECEMBER 21, 2015 AT 09:01AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB