

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: X45

TRACT(S): 002

LOCATION: TAZEWELL County, Virginia

TAX ID NUMBERS:

Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit E -
Exhibit EE

DOCKET NUMBER: VGOB-98-1215-0707-01

APPLICANTS:

CNX Gas Company LLC on behalf of CNX Gas Company LLC

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 05/03/1999, Recorded on 05/12/1999, Deed Book/Instrument No. 2447.
2. Supplemental Order Executed 07/19/1999, Recorded on 07/21/1999, Deed Book/Instrument No. 778, Page 456.

NOTICE:

2015 JUL 16 239

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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) 002 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 002 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. CNX Gas Company LLC is the gas claimant in Tracts 2 As such CNX Gas Company LLC 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 CNX Gas Company LLC and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

2015 116242

DONE AND EXECUTED this 19 day of October, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

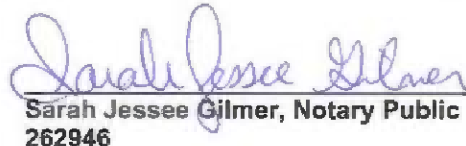
DONE AND PERFORMED this 19 day of October, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 19th day of October, 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 98-1215-0707-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 002 (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: X45

TAZEWELL 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 Tract 2 as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to 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

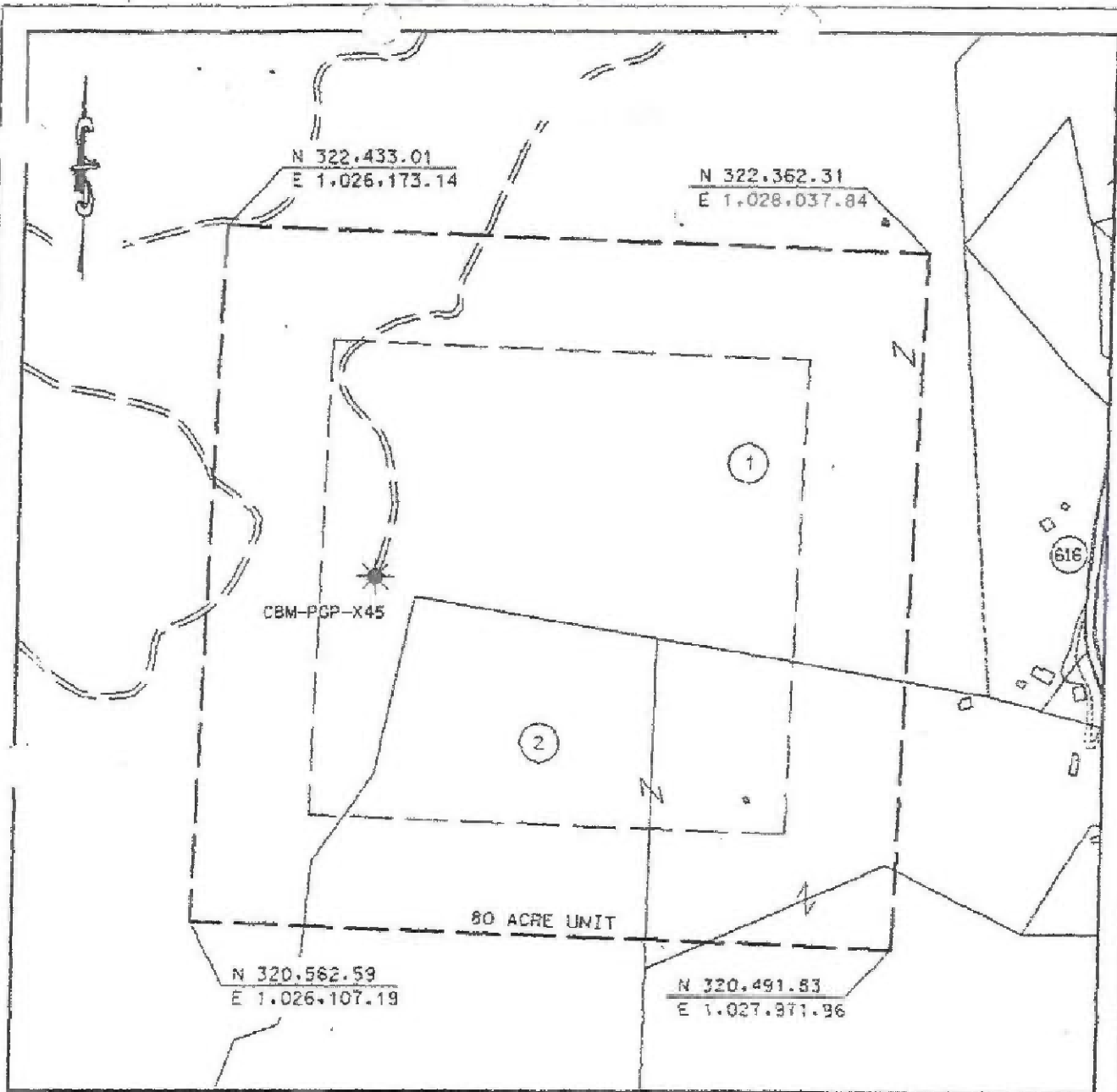
5. Factual basis for relief requested

- a. CNX Gas Company LLC is the gas claimant in Tracts 2 As such CNX Gas Company LLC 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 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.

2015 16245



LEGEND

- TRACT LAND HOOK
- TRACT LAND ID'S

EXHIBIT A
OAKWOOD FIELD UNIT X-45
FORCE POOLING
VGOB-98-1215-0707

Company Poconofas Gas Partnership Well Name and Number UNIT X45

Tract No. Elevation Quadrangle Newell Ridge

County Tazewell District Walden Springs Scale: 1" = 400' Date 11/14/98

This plot is a new plot or an updated plot or a final plot

Form DGC-60-1
Rev. 8/3

Charles B. King
Licensed Professional Engineer / Licensed Land Surveyor

2015 016246

POCAHONTAS GAS PARTNERSHIP
UNIT X-45
Tract Identifications

1. Coal Mountain Mining . Tr 39 - Fee
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Consolidation Coal Co. - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
53.96 acres 67.4500%
2. J. W. Harman, Jr - ½ P-3 seam Coal
S. Laird Harman - ½ P-3 seam Coal
M-M-M Inc. - Remainder of Coal, Oil & Gas
Reserve Coal Properties Co. - P-3 Seam Coal Lessee
26.04 acres 32.5500%

2015 M16247

Exhibit E
Unit X-45
Docket #VGOB 98-1215-0707-01
List of all Owners in escrow

Net Acres
in Unit

Interest in
Unit

Escrowing not required

Exhibit EE
Unit X-45

Docket #VGOB 98-1215-0707-01

List of Respondents with Royalty Split Agreements/Court Orders/HS2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
I. COAL OWNERSHIP			
<u>TRACT #2 - 26.04 acres</u>			
(1) J. W. Harman, Jr. et al (1010.98 Acre Tract)	26.04 acres	32.5500%	
(a) J. W. Harman, Jr. Heirs, Devisees, Successors or Assigns (1/2 Pocahontas No. 3 Seam)			
(a.1) James W. Harman, III 1206 Medley Valley Rd Tazewell, VA 24851	6.51 acres 1/4 of 26.04 acres	8.1375%	n/a
(a.2) Jonathan H. Harman 2727 Mountain View Bluefield, WV 24701	6.51 acres 1/4 of 26.04 acres	8.1375%	n/a
(b) Samuel Laird Harman Heirs, Devisees, Successors or Assigns (1/2 Pocahontas No. 3 Seam)			
(b.1) Nancy Christina Harman 233 Grace Lane, NE Riner, VA 24149	13.02 acres 1/2 of 26.04 acres	16.2750%	n/a
(2) M-M-M New Life Inc. (All coal exp. P3 Seam)	Deeded to Reserve Coal Properties Company 1/8/2001 under Deed Book 812, Page 295		
Reserve Coal Properties PO Box 643830 Pittsburgh, PA 15264-3830	26.04 acres	32.5500%	n/a
II. OIL & GAS OWNERSHIP			
<u>TRACT #2 - 26.04 acres</u>			
(1) M-M-M New Life Inc.	Deeded to Reserve Coal Properties Company 1/8/2001 under Deed Book 812, Page 295		
Reserve Coal Properties	Deeded to CNX Gas Company LLC 5/22/2003 under Deed Book 879, Page 1354		
(a) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	26.04 acres	32.5500%	100.0000%

Tract #1, Tax Map 65A, Parcel 10
Tract #2, Tax Map 85A, Parcel 40

INSTRUMENT #150003167
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
OCTOBER 26, 2015 AT 04:35PM
TAMM E. REEISSON, CLERK
RECORDED BY: MLT
HS2058