

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: P44

TRACT(S): A portion of 1

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-00-0321-0778-02

APPLICANTS:

CNX Gas Company LLC on behalf of James Curtis White

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 04/27/2000, Recorded on 05/03/2000, Deed Book/Instrument No. 506, Page 549.
2. Supplemental Order Executed 08/16/2000, Recorded on 08/24/2000, Deed Book/Instrument No. 511, Page 799.
3. Disbursement Order -01 Executed 04/08/2003, Recorded on 04/08/2003, Deed Book/Instrument No. 566, Page 404.

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) A portion of 1 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1 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. James Curtis White is the gas claimant in Tracts 1. As such James Curtis White 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 James Curtis White and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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DONE AND EXECUTED this 13 day of April, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

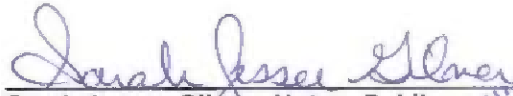
DONE AND PERFORMED this 13 day of April, 2016 by Order of the Virginia Gas and Oil Board.



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

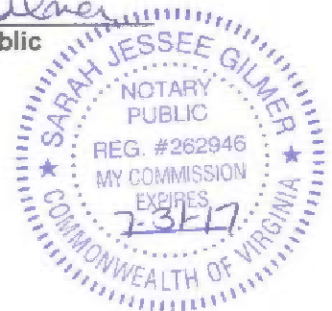
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 13th day of April, 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 00-0321-0778-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1 (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: P44**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(s) attributable to of Tract 1, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to James Curtis White

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. James Curtis White is the gas claimant in Tracts 1. As such James Curtis White 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 James Curtis White 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.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS
PROVIDED BY CONSIL INC. AND WERE NOT SURVEYED.

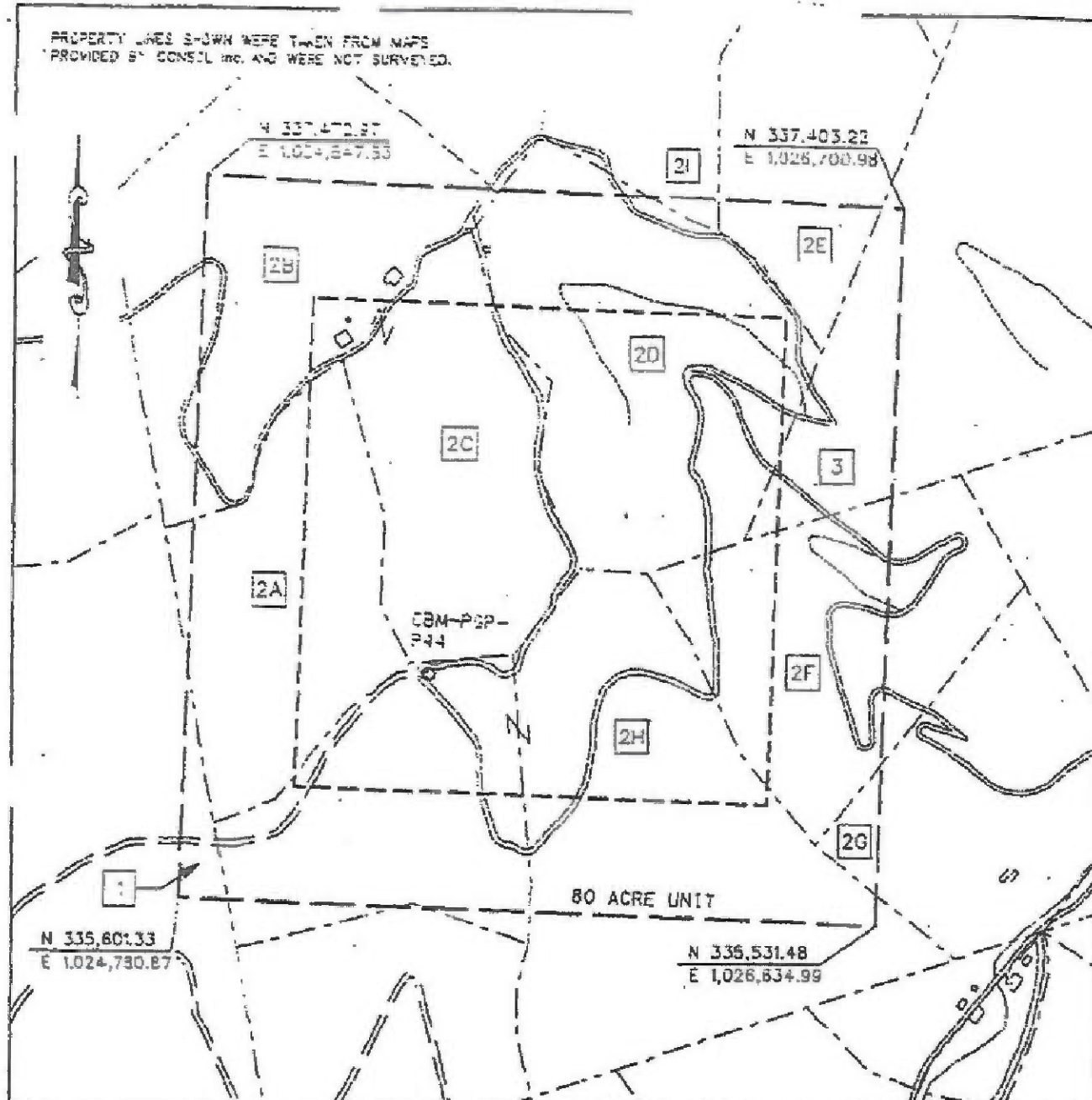


EXHIBIT A
OAKWOOD FIELD UNIT P-44
FORCE POOLING
V608-00-0321-0778

Company Pacchontics Gas Partnership Well Name and Number UNIT P44
Tract No. _____ Elevation _____ Quadrangle Jewell Ridge
County Buchanan District Sander Scale: 1" = 400' Date 2/09/00
This plot is a new plot X : on updated plot _____ : or a final plot _____

Form DGC-60-7
Rev. 9/91

Charles D. Meyer
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP

UNIT P- 44

Tract Identifications

1. James M. McGuire Trust - Coal
 Coal Lessees
 Reserve Coal Properties - Below drainage coal Lessee
 Jewell Ridge Coal Corp. - Jawbone and Tiller Seams
 Pocahontas Gas Partnership - CBM Leased
 Reserve Coal Properties, et al - Surface, Oil & Gas
 0.90 acres 1.12500%

2. Mary McNeill Heirs - Coal, Oil & Gas
 Coal Lessees
 None of record
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Lessee
 75.10 acres 93.87500%

- 2A. Nancy Lester - Surface
- 2B. Dora Cantrell - Surface
- 2C. Dora Cantrell - Surface
- 2D. Basel Cooper - Surface
- 2E. Cecil Boyd, et al - Surface
- 2F. Sylvia Keen - Surface
- 2G. Jewell Ridge Coal Corp. - Surface
- 2H. Charlie Keen - Surface
- 2I. Naomi McKenney, et al - Surface

3. Ron Clyborne Tr 1 - Coal Above Jawbone Seam, Oil & Gas
 Reserve Coal Properties - Coal Jawbone Seam and Below
 Coal Lessees
 Jewell Ridge Coal Corp. - Jawbone Seam and above
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Leased
 Reserve Coal Properties - Surface
 4.00 acres 5.00000%

Exhibit E
Unit P-44
Wells P44 (03/14/00)
19 Right Panel (200R19P1) Wells - None
21 Right Panel (200R21P1) Wells - P44
Docket #VGOB 00-0321-0778-02
List of All Owners/Claimants that require Escrow

	Net Acres in Unit	Interest in Unit	Interest in 19-Right 0.16200%	21-Right 2.41368%
<u>Tract #1 - 0.90 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) James M. McGuire Land Trust (460.57 Acre Tract) P. O. Box 1067 Bluefield, VA 24605	0.90 acres	1.1250%	0.00001823	0.00027154
<u>OIL & GAS OWNERSHIP</u>				
Jack White Estate, et al. (51.00 acres)	0.90 acres	1.1250%	0.00001823	0.00027154
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title.</i>				
(1) Jack White Estate (1/16)				
(b) Waltie W. Cantrell Heirs, Devisees, Successor or Assigns				
(b.1) Lonnie Cantrell Sr. 2065 Pateet Rd. Wirtz, VA 24184	0.0161 acres 1/56 of 0.90 acres	0.0201%	0.00000033	0.00000485
(b.2) Deborah L. Cantrell 31 Chestnut Ave New Castle, VA 24127	0.0161 acres 1/56 of 0.90 acres	0.0201%	0.00000033	0.00000485
(c) Stewart White Heirs, Devisees, Successor or Assigns				
(c.1) Linda White Sprouse 5233 Apple Leaf Court N. Chesterfield, VA 23234	0.0027 acres 1/336 of 0.90 acres	0.0033%	0.00000005	0.00000081
(c.2) Dale White 913 Hamilton Avenue Colonial Heights, VA 23834	0.0027 acres 1/336 of 0.90 acres	0.0033%	0.00000005	0.00000081
(c.3) Diana Boone 1928 Alma Court Madisonville, KY 42431	0.0031 acres 1/288 of 0.90 acres	0.0039%	0.00000006	0.00000094
(c.4) Keith Clifton Heirs, Devisees, Successors or Assigns				
(c.4.1) Linda Clifton 1127 Bunnel Road Jewell Ridge, VA 24622	0.0031 acres 1/288 of 0.90 acres	0.0039%	0.00000006	0.00000094
(c.5) Dovie Victoria White 819 Hamilton Ave. Colonial Heights, VA 23834 <i>Interest Pending Heirship Info</i>				

Exhibit EE

Unit P-44

Wells P44 (03/14/00)

19 Right Panel (200R19P1) Wells - None

21 Right Panel (200R21P1) Wells - P44

Docket #VGOB 00-0321-0778-02

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

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	Net Acres in Unit	Interest in Unit	Interest in		Percent of Escrow
			19-Right 0.16200%	21-Right 2.41368%	
<u>Tract #1 - 0.90 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) James M. McGuire Land Trust (460.57 Acre Tract) P. O. Box 1067 Bluefield, VA 24605	0.90 acres	1.1250%	0.00001823	0.00027154	n/a
<u>OIL & GAS OWNERSHIP</u>					
Jack White Estate, et al. (51.00 acres)	0.90 acres	1.1250%	0.00001823	0.00027154	n/a
(1) Jack White Estate (1/16)					
(a) Lincoln White Heirs, Devisees, Successors or Assigns					
(a.1) Curtis White 441 Red Oak Street Pounding Mill, VA 24637	0.0125 acres 1/72 of 0.90 acres	0.0156%	0.00000025	0.00000377	22.2025% HB2058
(2) CNX Gas Company LLC ** 1000 Consol Energy Drive Canonsburg, PA 15317	0.8438 acres 15/16 of 0.90 acres	1.0547%	0.00001709	0.00025457	n/a
<u>Tract #3 - 4.00 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Reserve Coal Properties Company (Coal In & Below Jawbone Seam) Tract 1 (121.00 Acre Tract) 10545 Riverside Drive Oakwood, VA 24631	4.00 acres	5.0000%	0.00008100	0.00120684	n/a
<u>OIL & GAS OWNERSHIP</u>					
(1) Clyborne Capital LLC Tract 1 (121.00 Acre Tract) 9325 Olympic View Drive Edmonds, WA 98020-2397	4.00 acres	5.0000%	0.00008100	0.00120684	n/a

INSTRUMENT #160000767
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MAY 3, 2016 AT 04:32PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLP