

120001254

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 Reimbursement of Overpayment to the
Operator, 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)

UNIT/WELL NAME: S-44
TRACT(S): A portion of Tract 3
LOCATION: Buchanan County, Virginia

DOCKET NUMBER: VGOB-00-0321-0784-02

APPLICANTS: CNX Production Company on behalf of Applicants identified in
the attached miscellaneous petition

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon,
Virginia

November 15, 2011

APPEARANCES: Mark Swartz on behalf of CNX; Sharon M. B. Pigeon representing
the Virginia Gas and Oil Board

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 05/02/2000, Recorded 05/03/2000, Deed Book 507
2. Supplemental Order Executed 08/24/2000, Recorded 08/24/2000, Deed Book 511
3. Disbursement Order Executed 02/09/10, Recorded 02/17/10, Instrument No. 100000301

NOTICE:

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract 3 relative to the interests of the Applicants identified in the attached miscellaneous petition.

(3) Continue the escrow account under this docket number.

FINDINGS: *Code of Virginia § 45.1-361.22*

Applicant has certified and represented to the Board that:

1. The owner of the coal estate for Tract 3 is James M. McGuire Trust for the subject drilling unit.
2. The owners of the gas estate for Tract 3 are John Boyd, Veola Bentley, James Edward Cantrell, Robert Bradley, John Cantrell, Shirley Justice Collins, Donna Jean Blizzard, Patricia Boarman, Van Justice, Jewell Shortt, Teddy Stephen Morefield, Cathy Morefield-Powell, Shannon Morefield, Dennis Morefield, Ruby Sparks, Grady McGlothlin, Annis McGlothlin, H. Neal Huston, Mary Ellen Pruitt, Connie Duncan, Pauline Davidson, Geraldine Mounts, Walter Cantrell and Naomi McFredrick for the subject drilling unit.
3. The aforementioned owners have entered into a royalty split agreement consisting of (50/50) split as referenced in the attached miscellaneous petition, and as shown in Table 1.

RELIEF GRANTED:

Prior to disbursement by percentage to the people identified in the table below, CNX Gas Company, LLC is to be reimbursed \$36,534.53 due to an overpayment into the escrow account. This was approved by the Board.

