

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: C26

TRACT(S): 3

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-00-1121-0836-01

APPLICANTS:

CNX Gas Company LLC on behalf of Joetta Lynn Matney, Mary Annita Bowman, Peggy Fletcher

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
June 21, 2016

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 03/02/2001, Recorded on 03/07/2001, Deed Book/Instrument No. 520, Page 253.
2. Supplemental Order Executed 05/01/2001, Recorded on 05/07/2001, Deed Book/Instrument No. 523, Page 506.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the June 21, 2016 hearing and considered whether to:

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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) 3 identified in the attached petition.
 - (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3 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:
- Peggy Fletcher, Mary Annita Bowman, and Joetta Matney were previously escrowed due to being unknown and have been found and have submitted a W9 form. Said W9 form allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

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 close 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.

160001183

DONE AND EXECUTED this 24 day of June, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

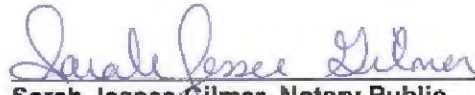
DONE AND PERFORMED this 24 day of June, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 24th day of June, 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 00-1121-0836-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3 (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: June 21, 2016

DRILLING UNIT: C26

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (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 Tract 3, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the party that was previously identified as "Unknown": Peggy Fletcher, Mary Annita Bowman, and Joetta Matney.

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

Peggy Fletcher, Mary Annita Bowman, and Joetta Matney were previously escrowed due to being unknown and have been found and have submitted a W9 form. Said W9 form allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

Company CONSOL Inc. Well Name and Number UNIT C26
 Tract No. _____ Elevation _____ Quadrangle Rafferson
 County Buchanan District Garden Scale: 1" = 400' Date 10/13/00
 This plat is a new plat x ; an updated plat _____ ; or a final plat _____

Licensed Professional Engineer or Licensed Land Surveyor

CONSOL INC.

Unit C-26

Tract Identifications

1. C.L. Ritter Lumber Co. - Tr. 60 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
26.30 Acres 32.8750%
- 1A. & 1D. Robert Clarence Viers - Surface
- 1B. Paul E. Smith - Surface
- 1C. Ralph Cole - Surface
- 1E. & 1F. Jerry Howard - Surface
- 1G. VDOT - Surface
2. C.L. Ritter Lumber Co. - Tr. 17 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
Juanita Matney - Surface
2.66 Acres 3.3250%
3. Unknown - Coal, Oil & Gas
0.72 Acres 0.90%
4. C.L. Ritter Lumber Co. - Tr. 20 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
Juanita Matney - Surface
21.75 Acres 27.1875%
- 4A. Jerry Boyd - Surface
- 4B. Jerry Howard - Surface
- 4C. Robert Clarence Viers - Surface
- 4D. Raymond Gibson - Surface
- 4E. VDOT - Surface
5. C.L. Ritter Lumber Co. - Tr. 21 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
26.64 Acres 33.1750%
- 5A. Raymond Gibson - Surface
- 5B. C.L. Ritter Lumber Co. - Surface
- 5C. C.L. Ritter Lumber Co. et al. - Surface
6. C.L. Ritter Lumber Co. - Tr. 22 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
North American Timber Corporation (Georgia-Pacific Corporation et al.) - Surface
2.03 Acres 2.5375%

Exhibit E
Unit C-26
Docket # VGOB - 00-1121-0836-01
List of Owners/Claimants that require escrow
(80 acre unit)

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Acres in Unit	Percent of Unit
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Escrowing no longer required

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Exhibit EE
Unit C-26
Docket # VGOB - 00-1121-0836-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80 acre unit)

		Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #3, 0.72 acres</u>				
<u>COAL FEE OWNERSHIP</u>				
(1)	Edna Juanita Matney Heirs, Devisees, Successors or Assigns <i>(Coal below Tiller Seam)</i> <i>Previously shown as Unknown Owner</i>	0.72 acres	0.9000%	
(a)	Peggy Fletcher 1 Chatsworth Lane Charleston, WV 25314	0.24 acres 1/3 of 0.72 acres	0.3000%	n/a
(b)	Mary Annita Bowman 4673 Dismal Rd Oakwood, VA 24631	0.24 acres 1/3 of 0.72 acres	0.3000%	n/a
(c)	Joetta Lynn Matney PO Box 3096 Johnson City, TN 37602	0.24 acres 1/3 of 0.72 acres	0.3000%	n/a
(2)	Jewell Smokeless Coal Company PO Box 70 Vansant, VA 24656 <i>(Tiller Seam of coal and above)</i> <i>Previously shown as Unknown Owner</i>	0.72 acres	0.9000%	n/a
<u>OIL & GAS FEE OWNERSHIP</u>				
<u>Tract #3, 0.72 acres</u>				
(1)	Edna Juanita Matney Heirs, Devisees, Successors or Assigns <i>Previously shown as Unknown Owner</i>	0.72 acres	0.9000%	
(a)	Peggy Fletcher 1 Chatsworth Lane Charleston, WV 25314	0.24 acres 1/3 of 0.72 acres	0.3000%	33.3333%
(b)	Mary Annita Bowman 4673 Dismal Rd Oakwood, VA 24631	0.24 acres 1/3 of 0.72 acres	0.3000%	33.3333%
(c)	Joetta Lynn Matney PO Box 3096 Johnson City, TN 37602	0.24 acres 1/3 of 0.72 acres	0.3000%	33.3333%

INSTRUMENT #160001183
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JULY 7, 2016 AT 09:10AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB