



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: E17

TRACT(S): A portion of 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-01-0116-0868-01

APPLICANTS: CNX Gas Company LLC on behalf of Bran Investments LLC, Brenda Taylor, Carol Welch, Cindy Lindsay, Harriet Grim, James Lindsay, Mark Douglas Welch, Sue Woodie, The Walker Trust c/o James Thompson

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:

NOTICE:

- (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 4 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 4 relative to the interests of the Applicants identified in the attached petition.

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(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. Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodie, Brenda Taylor is the gas claimant in Tracts 4. As such Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodie, Brenda Taylor 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 Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodie, Brenda Taylor and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit E17

VGOB-01-0116-0868-01

Table 1

Tracts: A portion of 4

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage Ownership		Royalty Split		Escrowed Acres		Percent of Escrowed Funds		Adjustment Amount	
			in Tract	in Tract	in Tract	in Tract	Agreement	Disbursed	Disbursed	Disbursed	Disbursed	Disbursed	Disbursed	Disbursed
		Total acreage in escrow before disbursement								2.62000				

4 Tract 4 (total acreage) 2.6200

1	4	Bran Investments LLC\516 Holston Ave., Suite 100, Bristol, TN 37620-2177	1/12	0.2183	100.00%	0.2183	100.00%	0.2183	0.2183	8.3333%				
2	4	The Walker Trust c/o James Thompson\30 Second St. NW, PO Box 191, Cleveland, TN 37364	1/12	0.2183	100.00%	0.2183	100.00%	0.2183	0.2183	8.3333%				
3	4	Carol Welch\134 Little John Road, Williamsburg, VA 23185	1/18	0.1456	100.00%	0.1456	100.00%	0.1456	0.1456	5.5556%				
4	4	Mark Douglas Welch\113 Holdworths Rd., Williamsburg, VA 23185	1/18	0.1456	100.00%	0.1456	100.00%	0.1456	0.1456	5.5556%				
5	4	Cindy Lindsay\HC81 Box 7008, Questa, MN 87556	1/243	0.0108	100.00%	0.0108	100.00%	0.0108	0.0108	0.4115%				
6	4	James Lindsay\5455 Lions Gate Lane, Colorado Springs, CO 80919-3563	1/243	0.0108	100.00%	0.0108	100.00%	0.0108	0.0108	0.4115%				
7	4	Harriet Grim\PO Box 1481, Pinehurst, NC 23870	1/12	0.2183	100.00%	0.2183	100.00%	0.2183	0.2183	8.3333%				
8	4	Sue Woodle\1500 Old Hundred Rd., Midlothian, VA 23114	1/24	0.1092	100.00%	0.1092	100.00%	0.1092	0.1092	4.1667%				
9	4	Brenda Taylor\649 Windy Wood Dr., Clayton, NC 27520	1/24	0.1092	100.00%	0.1092	100.00%	0.1092	0.1092	4.1667%				

Adjustment Comments:

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 16 day of November, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

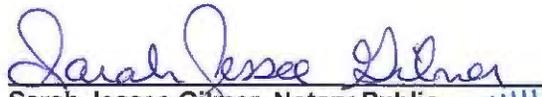
DONE AND PERFORMED this 16 day of November, 2016 by Order of the Virginia Gas and Oil Board.



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

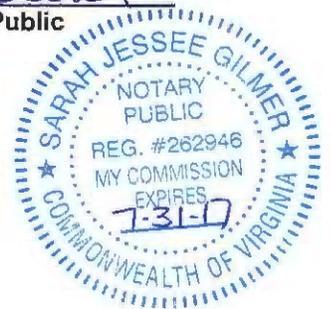
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 16th day of November, 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 01-0116-0868-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 4 (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: E17**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(s) attributable to of Tract(s) 4 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodle, Brenda Taylor.

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. Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodle, Brenda Taylor is the gas claimant in Tracts 4. As such Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodle, Brenda Taylor 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 Bran Investments, LLC, The Walker Trust Indenture c/o Trustee, Carol C. Welch, Mark Douglas Welch, Cindy Lindsay, James Lindsay, Harriet Grim, Sue Woodle, Brenda Taylor 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.

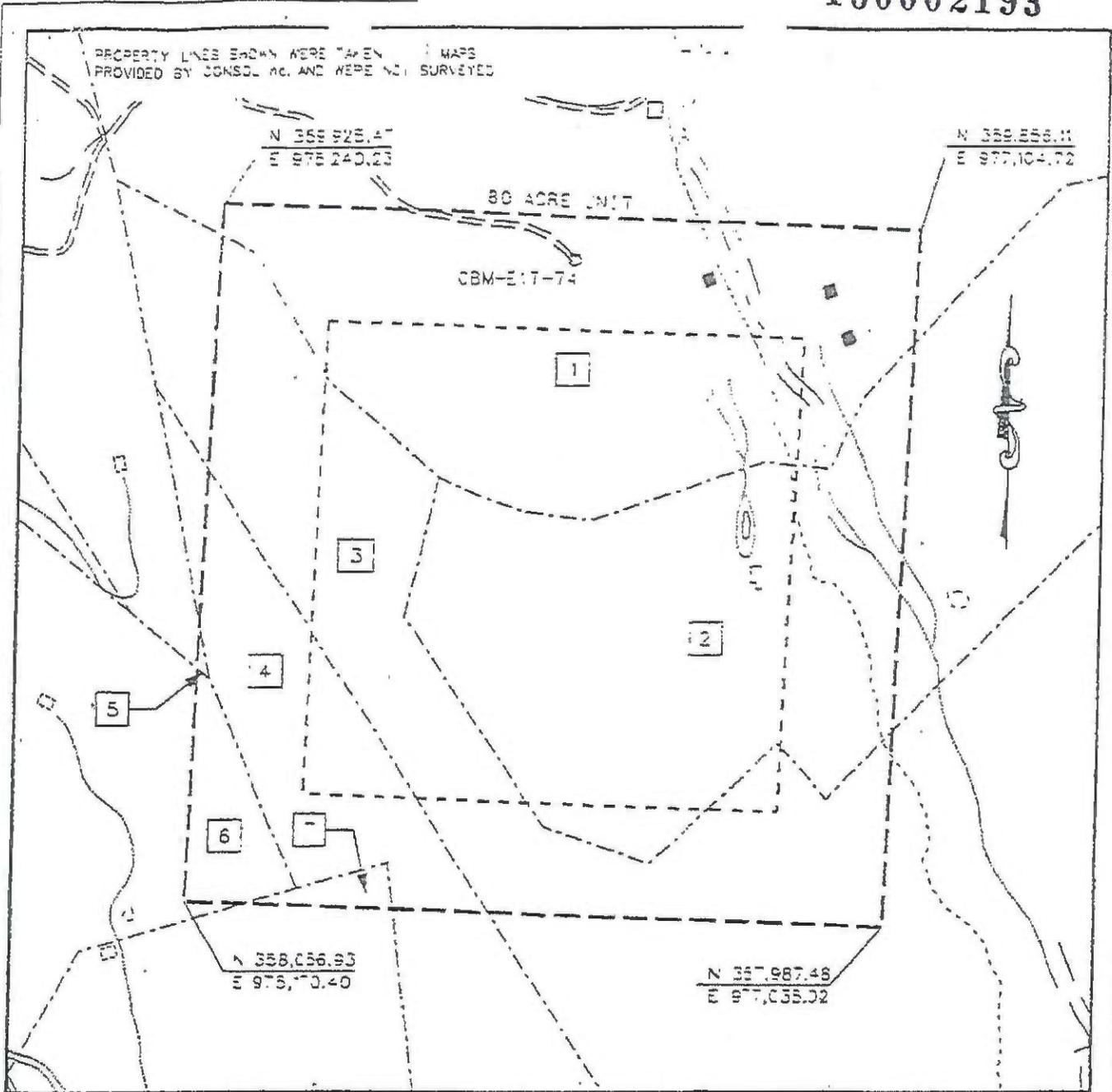
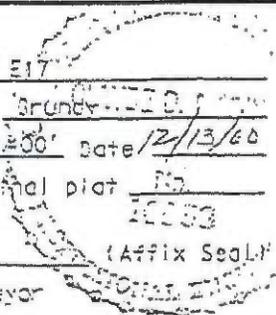


EXHIBIT A
DAWOOD FIELD UNIT E-17
FORCE POOLING
VGCS-01-0116-0868

Company CONSOL Energy Inc. Well Name and Number UNIT E17
 Tract No. _____ Elevation _____ Bearing Grundy
 County Buchanan District South Grundy Sec. 1 = 200' Date 12/13/68
 This plat is a new plat X ; an updated plat _____ ; or a final plat NO

Form DGS-62-7
 Rev. 9/81
Charles D. Meyer
 Licensed Professional Engineer or Licensed Land Surveyor



CONSOL ENERGY INC.

UNIT E-17

Tract Identifications

1. Yukon Pocahontas, et al. Tr. 80 - Coal, Oil & Gas
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - CBM Leased
Jewell Coal & Coke Company - Surface
25.31 acres 31.6375 %
2. Powers, et al. - Coal, Oil & Gas
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - CBM Leased
24.39 acres 30.4875%
3. North American Timber Corp. Tr. 6 - Fee
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - CBM Leased
19.53 acres 24.4125 %
4. Amy Lee Powers, et al. - Fee
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - Oil, Gas and CBM Leased
7.87 acres 9.8375%
5. Earl W. Yates, et al. (Heirs of Louisa B. Yates) - Coal, Oil & Gas
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - CBM Leased (15/32)
Darrell Alvin Daniels, et ux. - Surface
0.03 acres 0.0375 %
6. North American Timber Corp. Tr. 5 - Fee
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Buchanan Production Company - CBM Leased
2.32 acres 2.9000 %
7. C. L. Ritter, et al. Tr. 3 - Fee
Coal Lessee
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp - Tiller and Above Coal Leased
Buchanan Production Company - CBM Leased
0.55 acres 0.6875 %

Exhibit E
Unit E-17
Docket # VGOB-01-0116-0868-01
List of Owners/Claimants in escrow

	Acres in Unit	Percent of Unit
<u>Tract #4, 7.87 acres</u>		
<u>COAL OWNERSHIP</u>		
<i>Only 1/3 interest should be escrowed due to conflicting CBM claim.</i>		
(1) Stephen R. Runals, Trustee, et al (Erma R. Runals, et al) (previously Amy Lee Powers, et al) (64 Acre Tract)	7.87 acres	9.8375%
(c) Island Creek Coal Company 10545 Riverside Dr. Oakwood, VA 24631	2.62 acres 1/3 of 7.87 acres	3.2792%
<u>OIL & GAS OWNERSHIP</u>		
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title. W9's and Affidavits Pending</i>		
(1) Stephen R. Runals, Trustee, et al (Erma R. Runals, et al) (previously Amy Lee Powers, et al) (64 Acre Tract)	2.62 acres 1/3 of 7.87 acres	3.2792%
(a) Amy Lee Powers Heirs, Devisees, Successors or Assigns		
(a.1) Robert S. Powers Heirs, Devisees, Successors or Assigns <i>Documentation Pending on Heirs - Requested 3/2/2015</i>	0.22 acres 1/12 of 7.87 acres	0.2733%
(a.2) Erma Runals Trust c/o Andrew Runals, Trustee 11453 Davis Rd. Middleville, MI 49333	0.22 acres 1/12 of 7.87 acres	0.2733%
(b) Curtis W. Humphrey Heirs, Devisees, Successors or Assigns		
(b.3) May S. Harris Trust c/o Michael Kauble, Trustee P.O. Box 325 Angwin, CA 94505	0.39 acres 4/27 of 7.87 acres	0.4858%
(b.4) Edward W. Lindsay Trust		
(b.4.1) Lindsay Manufacturing PO Box 1708 Ponce City, OK 74602	0.03 acres 1/81 of 7.87 acres	0.0405%
(b.4.4) John Lindsay 17 Sherwood Rd. Ft. Walton Beach, FL 32547-1620	0.04 acres 4/243 of 7.87 acres	0.0540%
(b.4.5) George Benton Harris Heirs, Devisees, Successors or Assigns		
(b.4.5.1) Marguerite Emma (Harris) Whyte 1837 Avenida Segovia Oceanside, CA 92056-6235	0.03 acres 1/81 of 7.87 acres	0.0405%
(b.4.5.2) Patricia Marie (Harris) Ruemke Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit E-17
Docket # VGOB-01-0116-0868-01
List of Owners/Claimants in escrow

	Acres in Unit	Percent of Unit
(b.4.5.2.1) Alford Herbert Ruenke, II 14008 Puerto Drive Ocean Springs, MS 39564	0.03 acres 1/81 of 7.87 acres	0.0405%
(b.4.5.3) George Benton Harris, Jr. 11 Luzanne Circle San Anselmo, CA 94960	0.03 acres 1/81 of 7.87 acres	0.0405%
(c) J.W. Lambert Heirs, Devisees, Successors or Assigns		
(c.1) Sandra Lambert Cook 205 Donegal Way Bristol, TN 37620	0.11 acres 1/24 of 7.87 acres	0.1366%
(c.2) James McCall Lambert Heirs, Devisees, Successors or Assigns <i>Documentation Pending on Heirs - Requested 10/1/2015</i>	0.11 acres 1/24 of 7.87 acres	0.1366%
(c.3) Helen Lambert James Heirs, Devisees, Successors or Assigns		
(c.3.1) Frank P. James, Jr. Heirs, Devisees, Successors or Assigns		
(c.3.1.1) Kay Martin 3784 Buckingham Dr., SW Roanoke, VA 24018	0.05 acres 1/48 of 7.87 acres	0.0683%
(c.3.1.2) Rebecca Sours 6069 Bradford Lane Johnston, IA 50131	0.05 acres 1/48 of 7.87 acres	0.0683%
(c.3.2) Colleen James Huffman Heirs, Devisees, Successors or Assigns <i>Documentation Pending on Heirs - Requested 10/8/2015</i>	0.11 acres 1/24 of 7.87 acres	0.1366%
(c.3.2.1) Donald W. Huffman 3002 Burnleigh Road Roanoke, VA 24014		

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

20150001

	Acres in Unit	Percent of Unit	Percent of Escrow
Tract #4, 7.87 acres			
COAL OWNERSHIP			
<i>Only 1/3 interest should be escrowed due to conflicting CBM claim.</i>			
(1) Stephen R. Runals, Trustee, et al (Erma R. Runals, et al) (previously Amy Lee Powers, et al) (64 Acre Tract)	7.87 acres	9.8375%	
(c) Island Creek Coal Company 10545 Riverside Dr. Oakwood, VA 24631	2.62 acres 1/3 of 7.87 acres	3.2792%	n/a
OIL & GAS OWNERSHIP			
(1) Stephen R. Runals, Trustee, et al (Erma R. Runals, et al) (previously Amy Lee Powers, et al) (64 Acre Tract)	2.62 acres 1/3 of 7.87 acres	3.2792%	
(a) Amy Lee Powers Heirs, Devisees, Successors or Assigns			
(a.3) Bran Investments, LLC 516 Holston Ave., Suite 100 Bristol, TN 37620-2177	0.22 acres 1/12 of 7.87 acres	0.2733%	8.3439% HB2058
(a.4) The Walker Trust Indenture c/o James S. Thompson, Trustee 30 Second St. NW, PO Box 191 Cleveland, TN 37364	0.22 acres 1/12 of 7.87 acres	0.2733%	8.3439% HB2058
(b) Curtis W. Humphrey Heirs, Devisees, Successors or Assigns			
(b.1) Carol C. Welch 134 Little John Road Williamsburg, VA 23185	0.15 acres 1/18 of 7.87 acres	0.1822%	5.5626% HB2058
(b.2) Mark Douglas Welch 113 Holdworths Rd. Williamsburg, VA 23185	0.15 acres 1/18 of 7.87 acres	0.1822%	5.5626% HB2058
(b.4.2) Cindy Lindsay HC 81 Box 7008 Questa, MN 87556	0.01 acres 1/243 of 7.87 acres	0.0135%	0.4120% HB2058
(b.4.3) James Lindsay 5455 Lions Gate Lane Colorado Springs, CO 80919-3563	0.01 acres 1/243 of 7.87 acres	0.0135%	0.4120% HB2058
(c.4) Jessie Lambert Pauley & Harry Pauley Heirs, Devisees, Successors or Assigns			
(c.4.1) Harriet Grim PO Box 1481 Pinehurst, NC 23870	0.22 acres 1/12 of 7.87 acres	0.2733%	8.3439% HB2058
(c.5) Ava Spence & Hugh Spence Heirs, Devisees, Successors or Assigns			
(c.5.1) Sue Woodle 1500 Old Hundred Rd. Midlothian, VA 23114	0.11 acres 1/24 of 7.87 acres	0.1366%	4.1720% HB2058
(c.5.2) Brenda Taylor 649 Windy Wood Dr. Clayton, NC 27520	0.11 acres 1/24 of 7.87 acres	0.1366%	4.1720% HB2058

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INSTRUMENT #160002193
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
NOVEMBER 29, 2016 AT 01:43PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GBB