

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: AX113

TRACT(S): 002B

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-01-0320-0874-01

APPLICANTS:

CNX Gas Company LLC on behalf of HC Bostic Coal Company, Inc

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 04/26/2001, Recorded on 05/02/2001, Deed Book/Instrument No. 525, Page 84.
2. Supplemental Order Executed 07/26/2001, Recorded on 08/08/2001, Deed Book/Instrument No. 532, Page 336.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 002B identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 002B 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. H.C. Bostic Coal Co. Inc is the gas claimant in Tracts 2B as such H.C. Bostic Coal Co. Inc is 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 H.C. Bostic Coal Co. Inc and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit AX113

VGOB-01-0320-0874-01

Table 1
Tracts: 002B

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds
			in Tract	in Tract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				54.59000	
002B Tract 002B (total acreage)			0.83				
1	002B	HC Bostic Coal Company, Inc/PO Box 220, Swords Creek, VA 24649		0.8300	100.00%	0.8300	1.5204%

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.

DONE AND EXECUTED this 7 day of December, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

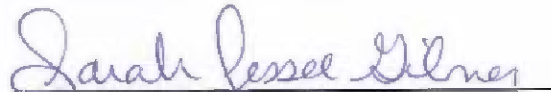
DONE AND PERFORMED this 7 day of December, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th day of December, 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 01-0320-0874-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 002B (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: AX113**RUSSELL 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(s) 2B as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to H.C. Bostic Coal Co. Inc.

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. H.C. Bostic Coal Co. Inc is the gas claimant in Tracts 2B as such H.C. Bostic Coal Co. Inc is 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 H.C. Bostic Coal Co. Inc 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.

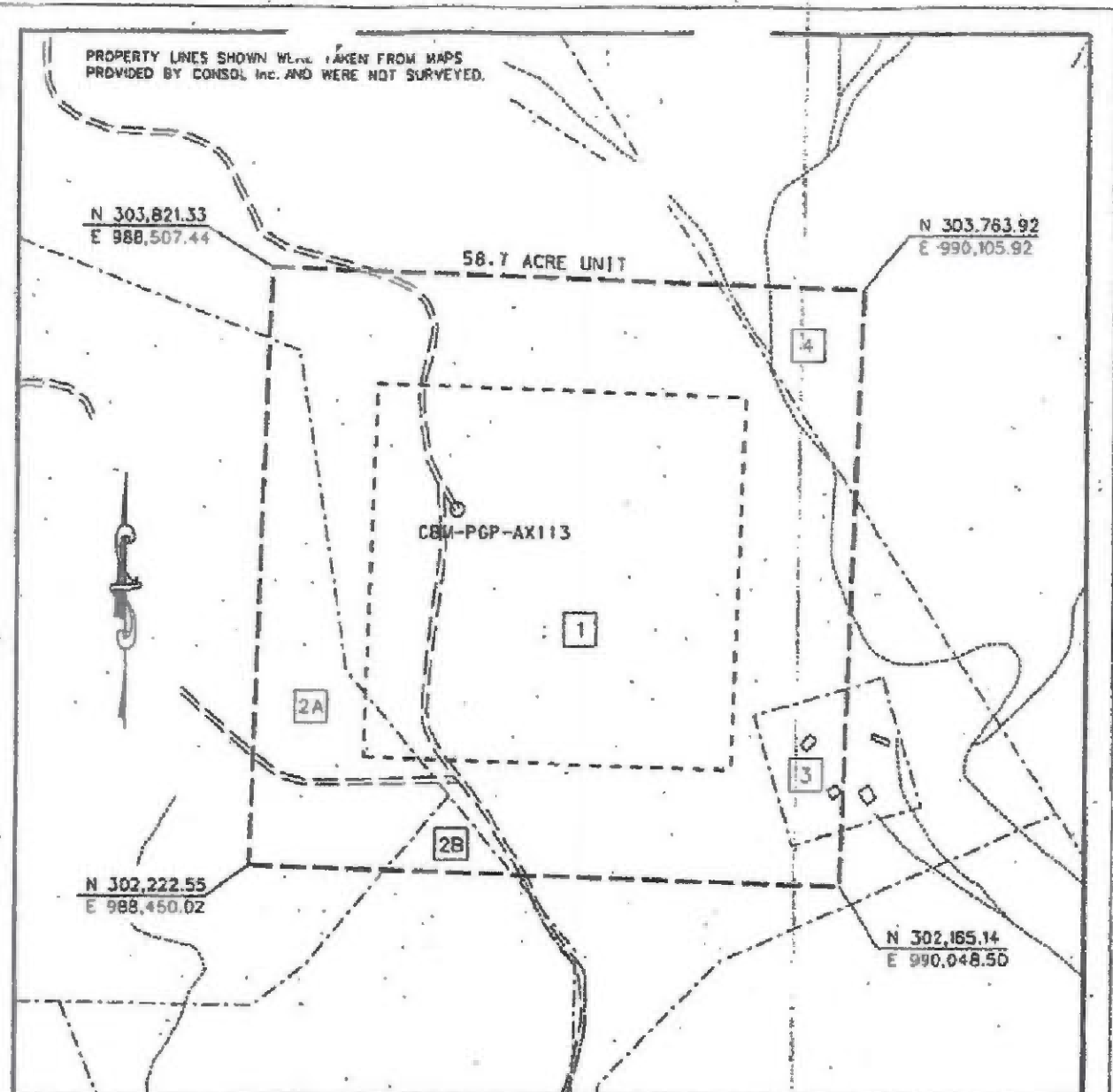


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AX-113
FORCE POOLING
VGOB-01-0320-0874

Company Pocahontas Gas Partnership Well Name and Number UNIT AX113
Tract No. _____ Elevation _____ Quadrangle Harker
County Russell District New Garden Scale: 1" = 400' Date 9/3/01
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GD-7
Rev. 9/91

Clair D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP

Unit AX-113

Tract Identifications
(58.7 Acre Tract)

1. Buckhorn Coal Company (Corns & Fletcher Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Heirs, Devisees, Successors or Assigns of B. W. Stras, et al. or Heirs, Devisees,
Successors or Assigns of S. J. Corn and Susan E. Corn or Heirs, Devisees,
Successors or Assigns of David Keene or Pocahontas Gas Partnership,
Swain Perkins, Frances Forbes or Harvey Lincous Perkins
and Dorothy Perkins - Oil & Gas
Dottie Gay Robinette Miller - Surface
45.44 acres 77.4105 %
- 2A. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Earl Whitel or Heirs, Devisees, Successors or Assigns of Dr. L. M. Harrison -
1/8th of Surface, Oil & Gas
Ellen Brown Heirs - 7/8th of Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas, and CBM Leased
8.32 acres 14.1738 %
- 2B. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
H. C. Bostic Coal Company, Inc. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
0.83 acres 1.4140 %
3. Dottie Gay Robinette Miller - Fee (Except Red Ash and Jawbone Coal Seams)
Knox Creek Coal Corp. - Red Ash and Jawbone Coal Seams
Pocahontas Gas Partnership - Oil, Gas & CBM Leased
1.64 acres 2.7939 %
4. Buckhorn Coal Company Tr. 7 - Fee
Consolidation Coal Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased Except Kennedy Seam
H. C. Bostic Coal Company, Inc. - Kennedy Seam Leased
Pocahontas Gas Partnership - CBM Leased
Reserve Coal Properties Company - Oil & Gas Leased
2.47 acres 4.2078 %

Exhibit E
CBM AX113
Docket # VGOB-01-0320-0674-01
List of Respondents that require escrow

	Acres in Unit	Interest in Unit
<u>Tract #1, 45.44 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	45.44 acres	77.4106%
<u>OIL & GAS OWNERSHIP</u>		
<i>Escrow due to title conflict</i>		
(1) B.W. Stras, Heirs, Devisees Successors or Assigns, et al. Address Unknown	45.44 acres	77.4106%
(OR)		
(2) S. J. and Susan E. Com, Heirs, Devisees Successors or Assigns, et al. Address Unknown	45.44 acres	77.4106%
(OR)		
(3) David Keene, Heirs, Devisees Successors or Assigns, et al. Address Unknown	45.44 acres	77.4106%
(OR)		
(4) Pocahontas Gas Partnership, et al.	45.44 acres	77.4106%
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317-6506	40.90 acres 9/10 of 45.44 acres	69.6695%
(2) Alta Perkins Heirs, Devisees, Successors or Assigns		
(a) Swain & Renia Perkins Rt 1 Box 136E Swords Creek, VA 24649	4.54 acres 1/10 of 45.44 acres	7.7411%
(OR)		
(5) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317-6506 Dorothy Perkins 1595 Drybread Road Salyersville, KY 41465	45.44 acres	77.4106%

Tract #2A, 8.32 acres**COAL OWNERSHIP**

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	8.32 acres	14.1738%
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OIL & GAS OWNERSHIP*Escrow due to title conflict*

Earl Whited et al.	8.32 acres	14.1738%
(1) Earl Whited 2014 Miller Creek Rd. Swords Creek, VA 24649	1.04 acres 1/8 of 8.32 acres	1.7717%

Exhibit E
CBM AX113
Docket # VGOB-01-0320-0874-01
List of Respondents that require escrow

	Acres in Unit	Interest in Unit
(OR)		
Dr. L.M. Harrison, Heirs, Devisees, Successors or Assigns Address Unknown		
(2) Ellen Brown Heirs, Devisees, Successors or Assigns, et al.	7.28 acres 7/8 of 8.32 acres	12.4020%
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.04 acres 3/500 of 7.28 acres	0.0744%
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.04 acres 3/500 of 7.28 acres	0.0744%
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.04 acres 3/500 of 7.28 acres	0.0744%
(i) Fred K. Abshire Rt.1 Box 267D Linhurst, VA 22952	0.04 acres 3/500 of 7.28 acres	0.0744%
(k) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.35 acres 1/21 of 7.28 acres	0.5953%
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(m.1) Milzi Helbert 45 Pace Drive Bristol, VA 24201	0.26 acres 1/28 of 7.28 acres	0.4429%
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.26 acres 1/28 of 7.28 acres	0.4429%
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.13 acres 1/56 of 7.28 acres	0.2232%
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.13 acres 1/56 of 7.28 acres	0.2232%
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.13 acres 1/56 of 7.28 acres	0.2232%
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.13 acres 1/56 of 7.28 acres	0.2232%
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.13 acres 1/56 of 7.28 acres	0.2232%
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.13 acres 1/56 of 7.28 acres	0.2232%
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.13 acres 1/56 of 7.28 acres	0.2232%
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24656	0.12 acres 1/62 of 7.28 acres	0.1984%

Exhibit E
CBM AX113
Docket # VGOB-01-0320-0874-01
List of Respondents that require escrow

	Acres in Unit	Interest in Unit
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.12 acres 1/62 of 7.28 acres	0.1984%
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.12 acres 1/62 of 7.28 acres	0.1984%
(ac) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.12 acres 1/62 of 7.28 acres	0.1984%
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.12 acres 1/62 of 7.28 acres	0.1984%
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.06 acres 1/125 of 6.31 acres	0.0992%
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.06 acres 1/125 of 6.31 acres	0.0992%
(aj) Dexter Perkins HC Box 214 Jewell Ridge, VA 24622	0.01 acres 1/500 of 6.31 acres	0.0248%
(ak) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.01 acres 1/500 of 6.31 acres	0.0248%
(al) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.01 acres 1/500 of 6.31 acres	0.0248%
(am) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.01 acres 1/500 of 6.31 acres	0.0248%
(an) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.01 acres 1/500 of 6.31 acres	0.0248%
(ao) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.01 acres 1/500 of 6.31 acres	0.0248%
(ap) Elster Hurley 1609 Norway Street Bristol, VA 24201	0.01 acres 1/500 of 6.31 acres	0.0248%
(aq) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.01 acres 1/500 of 6.31 acres	0.0248%
(ar) Dr. L.M. Harrison Heirs, devisees Successors or Assigns Address Unknown	0.91 acres 1/8 of 6.31 acres	1.5503%
(as) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317-6506	3.62 acres 497/1000 of 6.31 acres	6.1638%

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2B, 0.83 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	0.83 acres	1.4140%	
<u>OIL & GAS OWNERSHIP</u>			
(1) H.C. Bostic Coal Company, Inc. P.O. Box 220 Swords Creek, VA 24649	0.83 acres	1.4140%	1.5204% HB2058

1502534

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 12-28, 2015. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:32 o'clock P. M, after payment of \$ — tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Sarah Gilmer

BY: Ann S. McReynolds CLERK