

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: DD3

TRACT(S): 4A

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-01-0515-0893-02

APPLICANTS:

CNX Gas Company LLC on behalf of Denver Barton, Jr., Elden J. & Betty Farmer

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 08/30/2001, Recorded on 09/05/2001, Deed Book/Instrument No. 529, Page 830.
2. Supplemental Order Executed 11/08/2001, Recorded on 11/14/2001, Deed Book/Instrument No. 534, Page 205.
3. Disbursement Order -01, Recorded on 11/12/2008, Deed Book/Instrument No. 0800004217.

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

- a. Denver Barton, Jr is the gas claimant in Tracts 4A. As such Denver Barton, Jr 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 Denver Barton, Jr and not escrow same. See Exhibit EE annexed hereto.

Tracts: 4A

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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 and 2.
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.

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DONE AND EXECUTED this 22 day of June, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

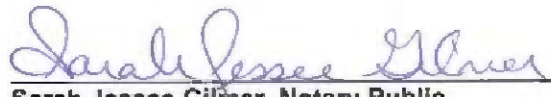
DONE AND PERFORMED this 22 day of June, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd 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 01-0515-0893-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4A (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: DD3

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 Tract 4A, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Denver Barton, Jr.; (3) Dismissal of Coal Owner(s): ACIN LLC

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. Denver Barton, Jr is the gas claimant in Tracts 4A. As such Denver Barton, Jr 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 Denver Barton, Jr 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 CONSOL, Inc. AND WERE NOT SURVEYED.

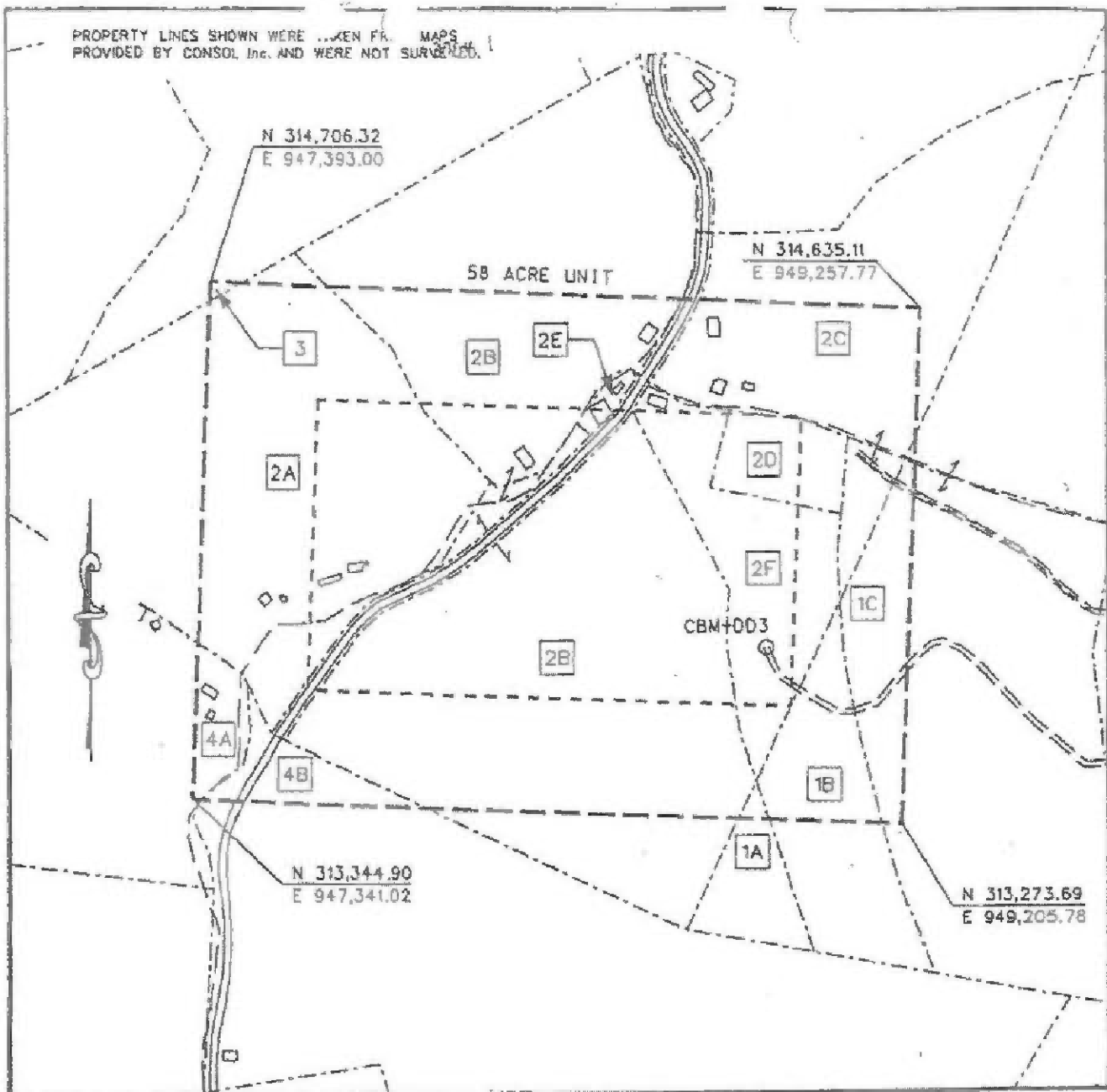


EXHIBIT A
OAKWOOD FIELD UNIT DD-3
FORCE POOLING
VGOB-01-0515-0893

Company CONSOL Energy Inc. Well Name and Number UNIT 003
Tract No. _____ Elevation _____ Quadrangle Vansant
County Buchanan District Hurricane Scale: 1" = 400' Date 4/7/01
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-60-7
Rev. 9/91

Charles A. Noyes
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CONSOL ENERGY INC.

UNIT DD-3

Tract Identifications

1. Landon Wyatt, Jr., et al. (Big Axe) Tr. 16-2 - Coal, Oil & Gas
Coal Lessee
Jewell Smokeless Coal Corp. - Tiller and Above Coal Leased
Buchanan Production Co. - CBM Leased
Buchanan Production Co. - Oil & Gas Leased
4.87 acres 8.3966 %
- 1A. Emily Woosley - Surface
- 1B. Anna Ruth Powers - Surface
- 1C. Fannie Vandyke - Surface
2. Landon Wyatt, Jr., et al. (Big Axe) Tr. 16-1 - Coal, Oil & Gas
Coal Lessee
Jewell Smokeless Coal Corp. - Tiller and Above Coal Leased
Buchanan Production Co. - CBM Leased
Buchanan Production Co. - Oil & Gas Leased
50.80 acres 87.5862 %
- 2A. Unknown Surface Owner
- 2B. Emily Woosley - Surface
- 2C. Fannie Vandyke - Surface
- 2D. Woodrow Powers, Jr. - Surface
- 2E. United Methodist Church - Surface
- 2F. Anna Ruth Powers - Surface
3. Levisa Coal Corporation Tr. 59 - Coal
Coal Lessee
Jewell Smokeless Coal Corp. - Tiller and Above Coal Leased
John W. Pobst, Jr., et al. - Oil & Gas
Buchanan Production Co. - CBM Leased
Buchanan Production Co. - Oil & Gas Leased
James M. Nuckles - Surface
0.04 acres 0.0690 %
- 4A. Pegasus Resource Company - Coal
Equitable Resources Energy Company - CBM (Coal Only) Leased
Eldon J. Farmer, et ux. - Surface, Oil & Gas
1.02 acres 1.7586 %
- 4B. Pegasus Resource Company - Coal
Equitable Resources Energy Company - CBM (Coal Only) Leased
Roby Fletcher Heirs - Surface, Oil & Gas
1.27 acres 2.1896 %

Exhibit E
Unit DD-3
VGOB 01-0515-0893-02
List of Respondents that require escrow

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	Acres in Unit	Percent of Unit
<i>Escrowing no longer required</i>		

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

	Acres In Unit	Percent of Unit	Percent of Escrow
Tract #4A - 1.02 acres			
COAL OWNERSHIP			
(1) ACIN LLC c/o Western Pocahontas Properties LP P.O. Box 2827 Huntington, WV 25727 <i>(previously Pegasus Resource Company)</i> <i>ACIN does not receive any royalty, it belongs to Range Resources - Pine Mountain, Inc.</i>	1.02 acres	1.7586%	n/a
<i>Coal Owner's claim to CBM:</i>			
EnerVest Operating, L.L.C. as designated Operator for EEIF XIV et al DEPT 962-1 PO Box 4346 Houston, TX 77210-4346 <i>(Previously Range Resources)</i> <i>Range Resources assigned all of its right, title and interest to EnerVest Energy Institutional Fund XIV-A, L.P. and EnerVest Energy Institutional Fund XIV-WIC, L.P. , effective November 1, 2015</i>	1.02 acres	1.7586%	n/a
* The CBM (Coal only) is leased by Equitable Resources Energy Company.			
OIL & GAS OWNERSHIP			
(1) Denver Barton, Jr. 3395 Boyds Ridge Rd Vansant, VA 24656-7425 <i>Previously Elden J. Farmer, et ux. - conveyed by deed 4/10/03 DB 588/PG430 (Elden and Betty Farmer will receive a one time payment for funds accumulated in escrow up to the date of conveyance)</i>	1.02 acres	1.7588%	100.0000% HB2058
Tract #4B - 1.27 acres			
<i>Royalty Division Agreement 25% Pine Mtn. / 75% Fletcher Heirs, except for Jack Fletcher (100% paid to Jack Fletcher)</i>			
COAL OWNERSHIP			
EnerVest Operating, L.L.C. as designated Operator for EEIF XIV et al DEPT 962-1 PO Box 4346 Houston, TX 77210-4346 <i>(Previously Range Resources)</i> <i>Range Resources assigned all of its right, title and interest to EnerVest Energy Institutional Fund XIV-A, L.P. and EnerVest Energy Institutional Fund XIV-WIC, L.P. , effective November 1, 2015</i>	1.27 acres	2.1897%	n/a
OIL & GAS OWNERSHIP			
(1) Roby & Grace Fletcher Heirs, Devisees, Successors or Assigns	1.27 acres	2.1897%	
(a) Tommie A. Fletcher, et ux. 335 Irvington Road Kilarnock, VA 22482	0.1411 acres 1/9 of 1.27 acres	0.2433%	n/a
(b) Clair Fletcher 8087 Lacy Drive #102 Manassas, VA 20110	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(c) Donald D. Fletcher Heirs, Devisees, Successors or Assigns			
(c.1) Marie Fletcher 11726 Lucasville Road Manassas, VA 20110	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(d) Helen Blanche Boyd, et vir. 863 Fincastle Street North Tazewell, VA 24630	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a

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Exhibit EE

Unit DD-3

VGOB 01-0515-0893-02

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

	Acres in Unit	Percent of Unit	Percent of Escrow
(e) Emily Wood, et vir. 7905 Canie Lane Manassas, VA 20111	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(f) Jessie Roy Fletcher Heirs, Devisees, Successors or Assigns			
(f.1) Bea Fletcher 12315 Izaak Walton Road Bristow, VA 20136	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(g) R. Paul Kinsey Revocable Trust c/o Ryan McKillips Trustee P.O. Box 3279 Oakton, VA 22124-9279	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(h) Harless E. Fletcher 12805 Valleyview Road Nokesville, VA 20181	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a
(i) Jack & Elizabeth Fletcher 13301 Powderham Lane Middlethian, VA 23113 <i>(Pine Mountain has released its claim to Jack Fletcher's 1/9 Working Interest)</i>	0.14 acres 1/9 of 1.27 acres	0.2433%	n/a

INSTRUMENT #160001184
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JULY 7, 2016 AT 09:14AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB