

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: BB37

TRACT(S): 2A, 2B, 2C

LOCATION: BUCHANAN, TAZEWELL County, Virginia

TAX ID NUMBERS:

Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract
Identification Sheet

DOCKET NUMBER: VGOB-01-0717-0901-01

APPLICANTS:

CNX Gas Company LLC on behalf of Barney & Janet Shortt, Roy Bernard & Linda Ruth
Shortt, Roy Bernard Shortt

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 11/08/2001, Recorded on 11/11/2001, Deed Book/Instrument No.
534, Page 353.
2. Supplemental Order Executed 06/24/2002, Recorded on 07/08/2002, Deed Book/Instrument No.
550, Page 60.

NOTICE:

EX 2015 PG 20087

1500002115

3914

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 2A, 2B, 2C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 2A, 2B, 2C 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. Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt is the gas claimant in Tracts 2A, 2B, & 2C As such Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt 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 Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

DONE AND EXECUTED this 3 day of December, 2015 by a majority of the Virginia Gas and Oil Board.

EX 2015 PG 20090

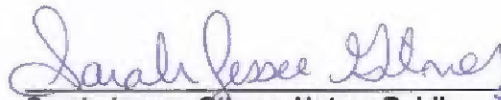
150002115



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 3rd 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, that he executed the same and was authorized to do so.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

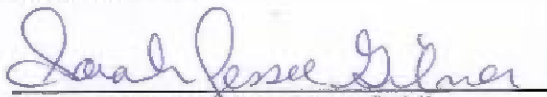
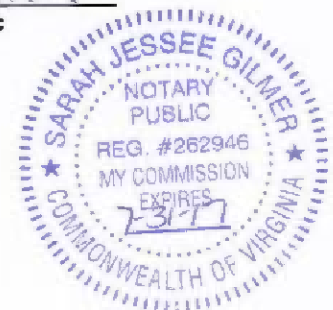
DONE AND PERFORMED this 4 day of December, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 4th day of December, 2015, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he 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 01-0717-0901-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2A, 2B, 2C (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: BB37

BUCHANAN, TAZEWELL 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) 2A, 2B, & 2C as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt.

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. Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt is the gas claimant in Tracts 2A, 2B, & 2C As such Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt 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 Roy Bernard Shortt & Linda Ruth Shortt and Barney and Janet Shortt 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.

2015 0620093

PROPERTY LINES SHOWN WERE ... ON FE ... MAPS
PROVIDED BY CONSOL Inc. AND WERE NOT ... SURVEY

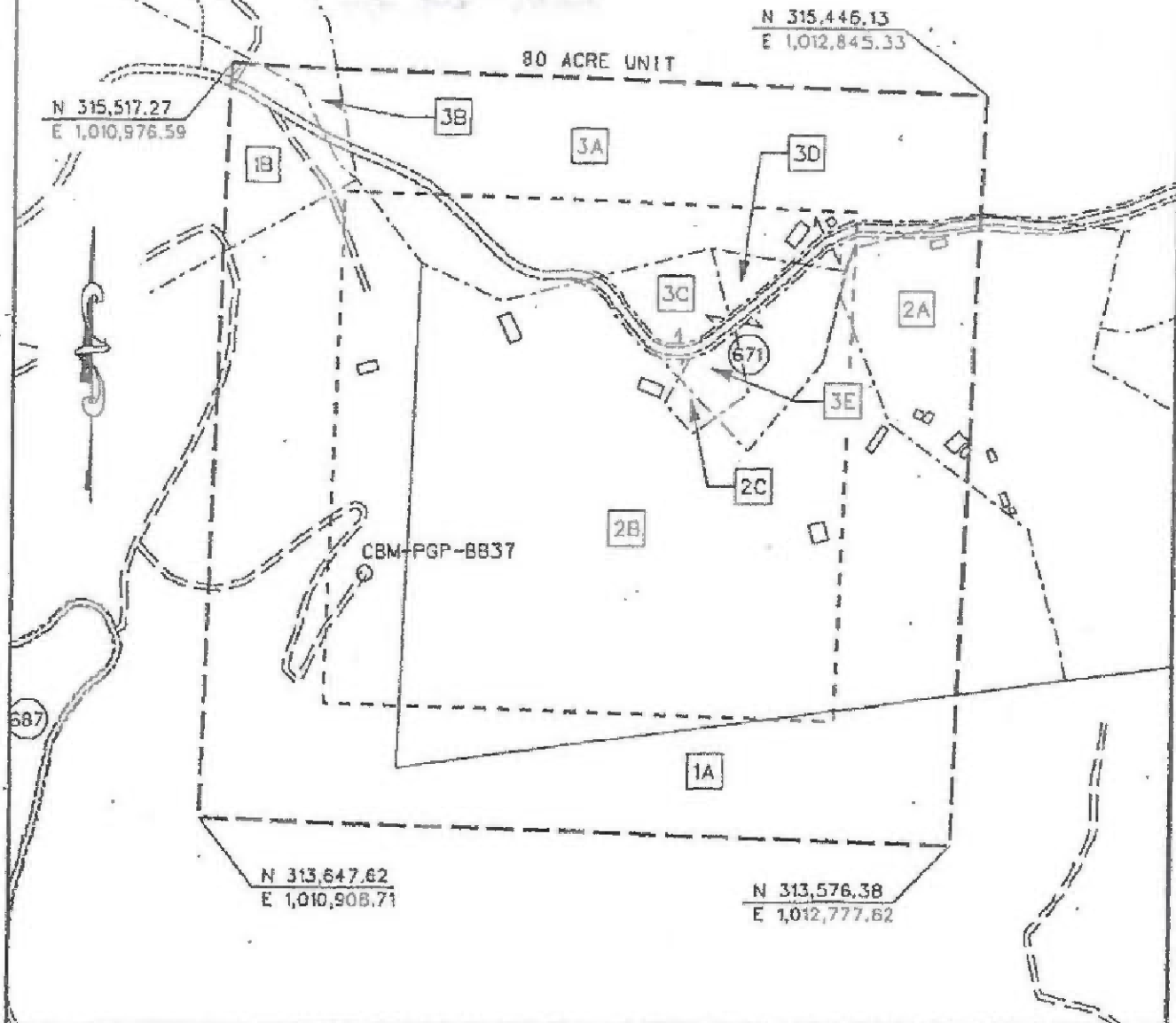


EXHIBIT A
OAKWOOD FIELD UNIT BB-37
FORCE POOLING
VG08-01-0717-0901

Company Pocahontas Gas Partnership Well Name and Number UNIT BB37

Tract No. _____ Elevation _____ Quadrangle UKB88 Mountain

County Buchanan/Tazewell District Maiden Springs/Garden Scale 1" = 400' Date 4/28/1

This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGO-GD-7
Rev. 9/91

Charles D. May
Licensed Professional Engineer or Licensed Land Surveyor

10932
(Affix Seal)

POCAHONTAS GAS PARTNERSHIP

UNIT BB-37

Tract Identifications

1. Commonwealth Coal Company (May & Painter Tr.) - Coal, Oil & Gas
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
27.28 acres 34.1000 %
- 1A. Commonwealth Coal Company (May & Painter Tr.) - Surface
- 1B. Unknown Surface Owner
- 2A. Commonwealth Coal Company (J. M. Hill Tr.) - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership - CBM Leased
Bernard Shortt, et al. - Surface, Oil & Gas
3.46 acres 4.3250 %
- 2B. Commonwealth Coal Company (J. M. Hill Tr.) - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership - CBM Leased
Bernard Shortt, et ux. - Surface, Oil & Gas
29.09 acres 36.3625 %
- 2C. Commonwealth Coal Company (J. M. Hill Tr.) - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership - CBM Leased
Barney A. Shortt, et ux. - Surface, Oil & Gas
0.18 acres 0.2250 %
3. Commonwealth Coal Company (John D. Perry Tr.) - Coal, Oil & Gas
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
19.99 acres 24.9875 %
- 3A. Commonwealth Coal Company (John D. Perry Tr.) - Surface
- 3B. Unknown Surface Owner
- 3C. Unknown Surface Owner
- 3D. Unknown Surface Owner
- 3E. Unknown Surface Owner

BK 2015 PG 20095

150002115

Exhibit E
Unit B837

Docket # VGOB 01-0717-0901-01
List of Respondents that require escrow

Acres in Unit	Interest in Unit
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Escrowing not required

150002115

Exhibit EE
Unit BB37

Docket #VGOB-01-0717-0901-01

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

150002115

	Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #2A, 3.46 acres

COAL OWNERSHIP

(1) Commonwealth Coal Company P.O. Box 1269 Bristol, VA 24203	3.46 acres	4.3250%	n/a
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OIL & GAS OWNERSHIP

(1) (Roy) Bernard Shortt, et al.	3.46 acres	4.3250%	
(a) Avis Shortt 642 Shortts Rd. Raven, VA 24639	Conveyed to Bernard Shortt by Deed of Gift dated 4/9/2001 and recorded in Deed Book 815, Page 181, reserving a Life Estate. Well BB37 online 1/9/2002. Royalties will pass to Bernard Shortt		
(b) (Roy) Bernard Shortt 642 Shortts Road Raven, VA 24639	3.46 acres	4.3250%	10.5713%

Tract #2B, 29.09 acres

COAL OWNERSHIP

(1) Commonwealth Coal Company P.O. Box 1269 Bristol, VA 24203	29.09 acres	36.3625%	n/a
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OIL & GAS OWNERSHIP

(1) (Roy) Bernard & (Linda) Ruth Shortt, 642 Shortts Road Raven, VA 24639	29.09 acres	36.3625%	
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Conveyed to Barney A. Shortt, Janet Shortt and Joshua Andrew Shortt by Deed of Correction dated 8/20/2007 and recorded in Deed Book 1009, Page 548, reserving a Life Estate. Well BB37 online 1/9/2002, therefore royalties will be vested in Bernard & Ruth Shortt

INSTRUMENT #150003914
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
DECEMBER 30, 2015 AT 11:27AM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT

Tract #2C, 0.18 acres

COAL OWNERSHIP

(1) Commonwealth Coal Company P.O. Box 1269 Bristol, VA 24203	0.18 acres	0.2250%	n/a
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OIL & GAS OWNERSHIP

(1) Barney & Janet Shortt, T/E. 728 Shortts Road Raven, VA 24639	0.18 acres	0.2250%	0.5500%
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(Roy) Bernard & (Linda) Ruth Shortt Life Estate Only
642 Shortts Road
Raven, VA 24639

Roy Bernard Shortt & Linda Ruth Shortt convey to Barney Andrew Shortt and Janet Ann Shortt by Deed dated 3/22/1994 and recorded in Deed Book 675, Page 153, reserving a Life Estate. Well BB37 online 1/9/2002, therefore the royalties will pass to Barney & Janet Shortt.

INSTRUMENT #150002115
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
DECEMBER 29, 2015 AT 12:10PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLB