

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: BB39

TRACT(S): A portion of 2

LOCATION: TAZEWELL County, Virginia

TAX ID NUMBERS:

Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit E -
Exhibit EE

DOCKET NUMBER: VGOB-01-0717-0903-01

APPLICANTS:

CNX Gas Company LLC on behalf of Dorothy Keene, Earlean C Shortt, Effie Shortt c/o Garnie
Thomas, Harold Short, Norene Short, Otis Short, Walter M Short

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 10/02/2001, Recorded on 11/29/2001, Deed Book/Instrument No.
834, Page 585.
2. Supplemental Order Executed 08/26/2002, Recorded on 07/15/2002, Deed Book/Instrument No.
853, Page 155.

NOTICE:

2015 016294

3170

(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 2 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 2 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:

Walter Short, Harold Short, Earlean Shortt, Dorothy Keene, Effie Short, Otis Short, Norene Short is entitled to 100% of the CBM royalties per House Bill 2058, Said bill 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.

RELIEF GRANTED:

VGOB Disbursement
Unit BB39

VGOB-01-0717-0903-01

Table 1

Tracts: A portion of 2

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds Disbursed
			in Tract	in Tract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				4.12000	
2 Tract 2 (total acreage)			4.12				
1	2	Dorothy Keene\279 Townview Dr\Lebanon\VA24266	1/11	0.3745	100.00%	0.3745	9.0909%
2	2	Otis Short\PO Box 1015\Cedar Bluff\VA24509	1/11	0.3745	100.00%	0.3745	9.0909%
3	2	Norene Short\PO Box 197\Cedar Bluff\VA24609	1/11	0.3745	100.00%	0.3745	9.0909%
4	2	Walter M Short\PO Box 1210\Cedar Bluff\VA24609	1/11	0.3745	100.00%	0.3745	9.0909%

4.12

2 Tract 2 (total acreage)

5	2	Harold Shortt PO Box 1818 Cedar Bluff VA 24609	3/22	0.5618	100.00%	0.5618	13.6364%
6	2	Effie Shortt c/o Garnie Thomas PO Box 745 DORAN VA 24612	1/11	0.3745	100.00%	0.3745	9.0909%
7	2	Earlean C Shortt 3417 View Ave Roanoke VA 24018	1/11	0.3745	100.00%	0.3745	9.0909%

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.

#2015 #16297

DONE AND EXECUTED this 5 day of October, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 5 day of October, 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 5 day of October, 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.


Sally Settle Ketron, Notary Public
7623162

My Commission expires: January 31, 2019



2015 716293

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 01-0717-0903-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 2 (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: BB39

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, attributable to of Tract 2, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to the parties per House Bill 2058; Walter Short, Harold Short, Earlean Shortt, Dorothy Keene, Effie Short, Otis Short, Norene Short.

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

Walter Short, Harold Short, Earlean Shortt, Dorothy Keene, Effie Short, Otis Short, Norene Short is entitled to 100% of the CBM royalties per House Bill 2058, Said bill 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.

2015 P 16299

PROPERTY LINES SHOWN WERE 1...
PROVIDED BY CONSOL INC. AND WERE

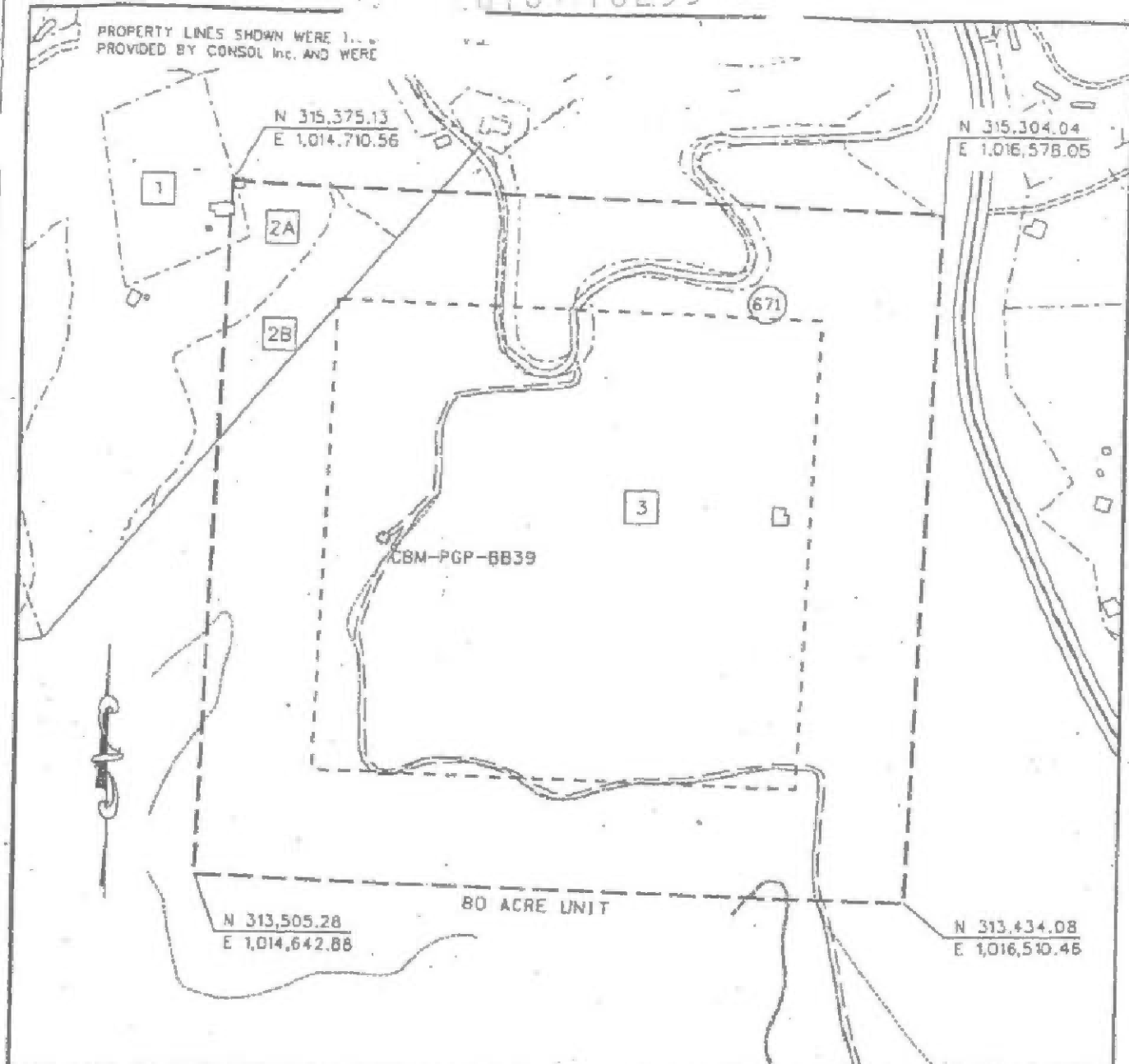


EXHIBIT A
OAKWOOD FIELD UNIT BB-39
FORCE POOLING
VGOB-01-0717-0903

Company Pocahontas Gas Partnership Well Name and Number UNIT BB39
Tract No. _____ Elevation _____ Quadrangle CLINTON & BRIGGS
County Tozwell District Maiden Springs Scale: 1" = 400' Date 4/6/01
This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGO-GO-7
Rev. 9/91

Charles E. May (Affix Seal)
Licensed Professional Engineer or Licensed Land Surveyor

2015 716300

POCAHONTAS GAS PARTNERSHIP

UNIT BB-39

Tract Identifications

1. Commonwealth Coal Company (N. Short 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
Tom Short Heirs, Devisees, Successors or Assigns - Surface
0.10 acres 0.1250%
2. Commonwealth Coal Company (N. Short Tr.) - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership - CBM Leased
Tom Short Heirs, Devisees, Successors or Assigns - Oil & Gas
4.12 acres 5.1500%
- 2A. Tom Short Heirs, Devisees, Successors or Assigns - Surface
2B. Knox Creek Coal Company - Surface
3. Commonwealth Coal Company (May & Painter Tr.) - Fee
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
75.78 acres 94.7250%

Exhibit E
Unit BB-39
Docket # VGOB-01-0717-0903-01
List of Respondents that require escrow

	Acres in Unit	Interest in Unit
<u>Tract #2, 4.12 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Commonwealth Coal Corporation P.O. Box 1269 Bristol, VA 24203 (29.23 Acre Tract)	4.12 acres	5.1500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Walter Short, et al (a.k.a. - Tom Short Heirs, Devises, Successors or Assigns) (29.23 Acre Tract)	4.12 acres	5.1500%
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.</i>		
(a) Tommy Short Box 1228 Richlands, VA 24641	0.375 acres 1/11 of 4.12 acres	0.4682%
(d) Glenward Jason Short 128 And St. Pounding Mill, VA 24637	0.562 acres 3/22 of 4.12 acres	0.7023%
(g) Maudie Bronson Heirs, Devises, Successors or Assigns		
(g.1) Kenneth W. Wingo 1509 E. Brow Rd, Apt 150 Signal Mtn, TN 37377	0.375 acres 1/11 of 4.12 acres	0.4682%
Total tract acres	1.31	
Total tract percent	1.6386%	

2015 716302

Exhibit EE
Unit BB-39
Docket # VGOB-01-0717-0903-01
List of Conflicting Owners/Claimants with Royalty Split Agreements / HB2058

	Acres In Unit	Interest in Unit	Percent of Escrow
<u>Tract #2, 4.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Commonwealth Coal Corporation P.O. Box 1269 Bristol, VA 24203 (29.23 Acre Tract)	4.12 acres	5.1500%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Walter Short, et al (a.k.a. - Tom Short Heirs, Devises, Successors or Assigns) (29.23 Acre Tract)	4.12 acres	5.1500%	
(b) Walter Short PO Box 1210 Cedar Bluff, VA 24609	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
(c) Harold Short PO Box 1618 Cedar Bluff, VA 24609	0.562 acres 3/22 of 4.12 acres	0.7023%	13.6364% HB2058
(e) Ballard C. Short Heirs, Devises, Successors or Assigns			
(e.1) Earlean Shortt 3417 View Ave. Roanoke, VA 24018	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
(f) Dorothy Keene 279 Townview Drive Lebanon, VA 24286	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
(h) Effie Short c/o Gamie Thomas PO box 745 Doran, VA 24612	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
(j) Otis Short PO Box 1015 Cedar Bluff, VA 24609	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
(k) Raymond B. Short Heirs, Devises, Successors or Assigns			
(k.1) Norene Short PO Box 197 Cedar Bluff, VA 24609	0.375 acres 1/11 of 4.12 acres	0.4682%	9.0909% HB2058
Total tract acres		2.81	
Total tract percent		3.5114%	

INSTRUMENT #150003170
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
SEPTEMBER 26, 2015 AT 04:43PM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT

Tract #1 - Map 64A, Parcel 33
Tract #2 - Map 64A, Parcel 33
Tract #3 - Map 64A, Parcel 122A