

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): 2

LOCATION: 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-01-0717-0903-02

APPLICANTS:

CNX Gas Company LLC on behalf of Glenward Jason Shortt, Kenneth Wingo, Tommy 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 10/02/2001, Recorded on 11/29/2001, Deed Book/Instrument No.
834, Page 585.
2. Supplemental Order Executed 06/26/2002, Recorded on 07/15/2002, Deed Book/Instrument No.
853, Page 155.
3. Disbursement Order -01 Executed 10/05/2015, Recorded on 10/26/2015, Deed Book/Instrument
No. 2015, Page 1629.

BK 2016 PG 06718

1233

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 2 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 2 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. Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo is the gas claimant in Tract 2. As such Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo 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 Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

DONE AND EXECUTED this 12 day of April, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

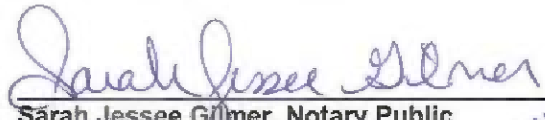
DONE AND PERFORMED this 12 day of April, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 12th day of April, 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 01-0717-0903-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2 (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: 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(s) attributable to of Tract(s) 2 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo; (3) Dismissal of Coal Owner(s): Commonwealth Coal Corporation

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. Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo is the gas claimant in Tract 2. As such Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo 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 Glenward Jason Shortt, Tommy Shortt, and Kenneth Wingo 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.

2016 006724

PROPERTY LINES SHOWN WERE
PROVIDED BY CONSOL INC. AND WERE

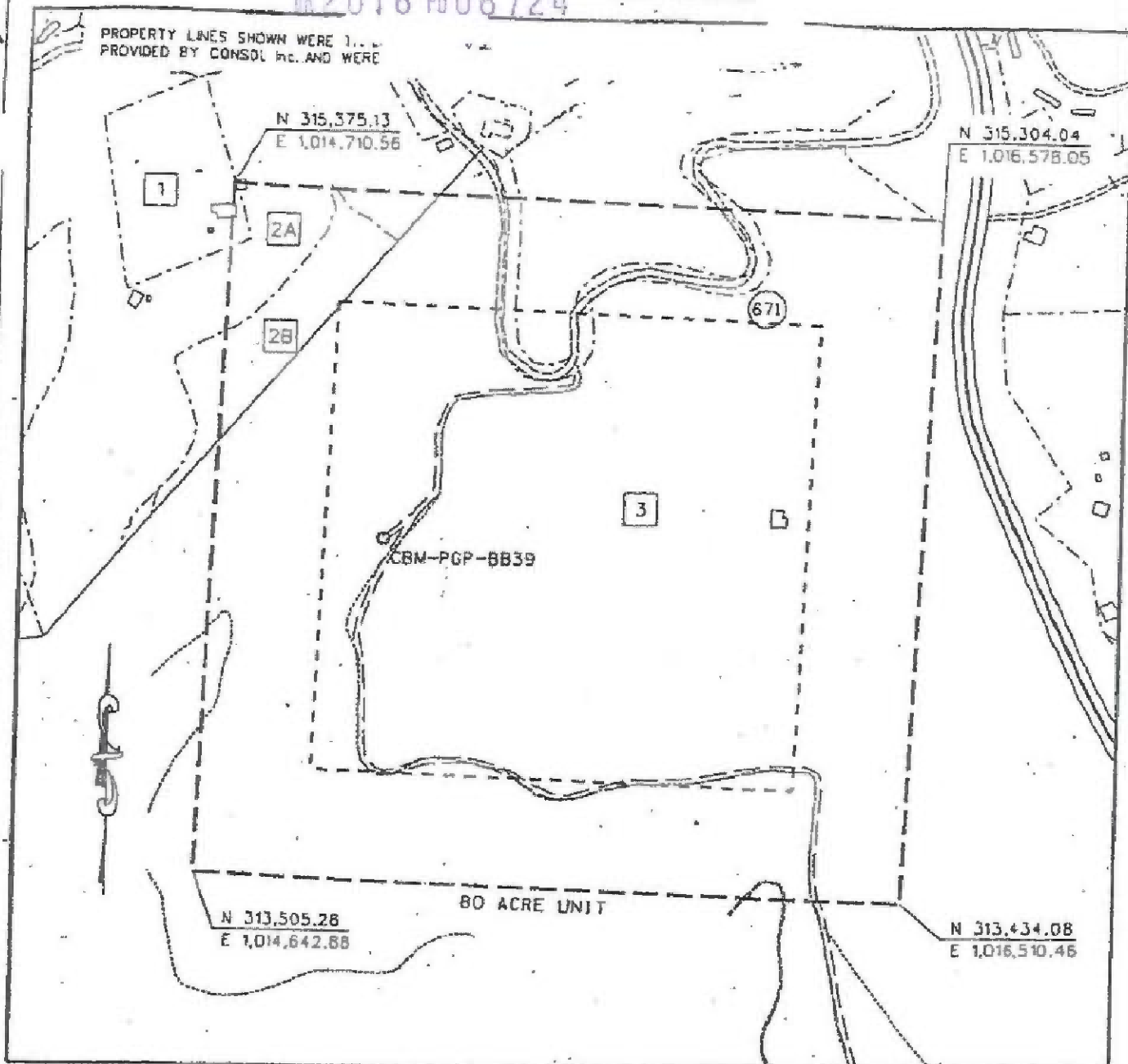


EXHIBIT A
OAKWOOD FIELD UNIT BB-39
FORCE POOLING
VGOB-01-0717-0903

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

Form OGD-60-7
Rev. 9/91

Claude G. Mays (Affix Seal)
Licensed Professional Engineer or Licensed Land Surveyor

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%

2016 PG 06726

Exhibit E
Unit BB-39

Docket # VGOB-01-0717-0903-02
List of Respondents that require escrow

Acres in Unit	Interest in Unit
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Escrowing not required

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2, 4.12 acres</u>			
COAL OWNERSHIP			
(1) Commonwealth Coal Corporation P.O. Box 1289 Bristol, VA 24203 (29.23 Acre Tract)	4.12 acres	5.1500%	n/a
OIL & GAS OWNERSHIP			
(1) Walter Short, et al (a.k.a. - Tom Short Heirs, Devisees, Successors or Assigns) (29.23 Acre Tract)	4.12 acres	5.1500%	
(a) Tommy Shortt Box 1228 Richlands, VA 24641	0.375 acres 1/11 of 4.12 acres	0.4682%	28.5694% HB2058
(b) Walter Short PO Box 1210 Cedar Bluff, VA 24609	0.375 acres 1/11 of 4.12 acres	0.4682%	n/a
(c) Harold Short PO Box 1818 Cedar Bluff, VA 24609	0.562 acres 3/22 of 4.12 acres	0.7023%	n/a
(d) Glenward Jason Shortt 128 And St. Pounding Mill, VA 24637	0.562 acres 3/22 of 4.12 acres	0.7023%	42.8542% HB2058
(e) Ballard C. Short Heirs, Devisees, Successors or Assigns			
(e.1) Earlean Shortt 3417 View Ave. Roanoke, VA 24018	0.375 acres 1/11 of 4.12 acres	0.4682%	n/a
(f) Dorothy Keene 279 Townview Drive Lebanon, VA 24266	0.375 acres 1/11 of 4.12 acres	0.4682%	n/a
(g) Maudie Bronson Heirs, Devisees, Successors or Assigns			
(g.1) Kenneth W. Wingo 1509 E. Brow Rd Signal Mtn, TN 37377	0.375 acres 1/11 of 4.12 acres	0.4682%	28.5694% HB2058
(h) Effie Short c/o Garnie Thomas PO box 745 Doran, VA 24612	0.375 acres 1/11 of 4.12 acres	0.4682%	n/a

Docket # VGOB-01-0717-0903-02

List of Conflicting Owners/Claimants with Royalty Split Agreements / HB2058

	Acres In Unit	Interest In Unit	Percent of Escrow
(j) Otis Short PO Box 1015 Cedar Bluff, VA 24609	0.375 acres 1/11 of 4.12 acres	0.4682%	n/a
(k) Raymond B. Short Heirs, Devisees, 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%	n/a
	Total tract acres	4.12	
	Total tract percent	4.6818%	

Tract #1 - Map 64A, Parcel 33
Tract #2 - Map 64A, Parcel 33
Tract #3 - Map 84A, Parcel 122A

INSTRUMENT #1600001233
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
MAY 3, 2016 AT 12:31PM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT