

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: AX109

TRACT(S): 1B

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-01-0821-0912-02

APPLICANTS:

CNX Gas Company LLC on behalf of CNX Gas Company LLC

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
January 19, 2016

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 12/18/2001, Recorded on 01/10/2002, Deed Book/Instrument No. 544, Page 525.
2. Supplemental Order Executed 02/18/2003, Recorded on 02/25/2003, Deed Book/Instrument No. 575, Page 952.
3. Disbursement Order -01, Recorded on 07/24/2009, Deed Book/Instrument No. 0708, Page 0621.
4. Supplemental Order, Recorded on 11/07/2011, Deed Book/Instrument No. 741, Page 0414.

NOTICE:

BOOK 0798 PAGE 0227

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 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.

DONE AND EXECUTED this 21 day of January, 2016 by a majority of the Virginia Gas and Oil Board.

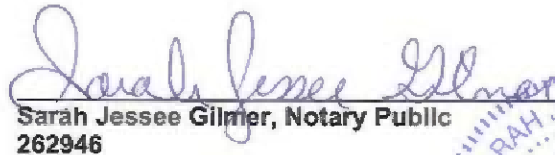
BOOK 0798 PAGE 0230



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 21st day of January, 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, that he executed the same and was authorized to do so.


Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

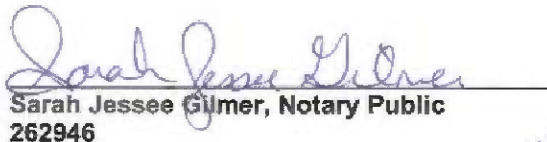
DONE AND PERFORMED this 22 day of January, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd day of January, 2016, 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 01-0821-0912-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1B (2) AND
AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: January 19, 2016

DRILLING UNIT: AX109

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, attributable to Tract 1B as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the following parties; CNX Gas Company 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

Settlement Agreement dated April 17, 2012 states that CNX Gas Company LLC will receive a one-time payment of funds in escrow; therefore 100% of the royalty will be paid to CNX Gas Company LLC. The 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.

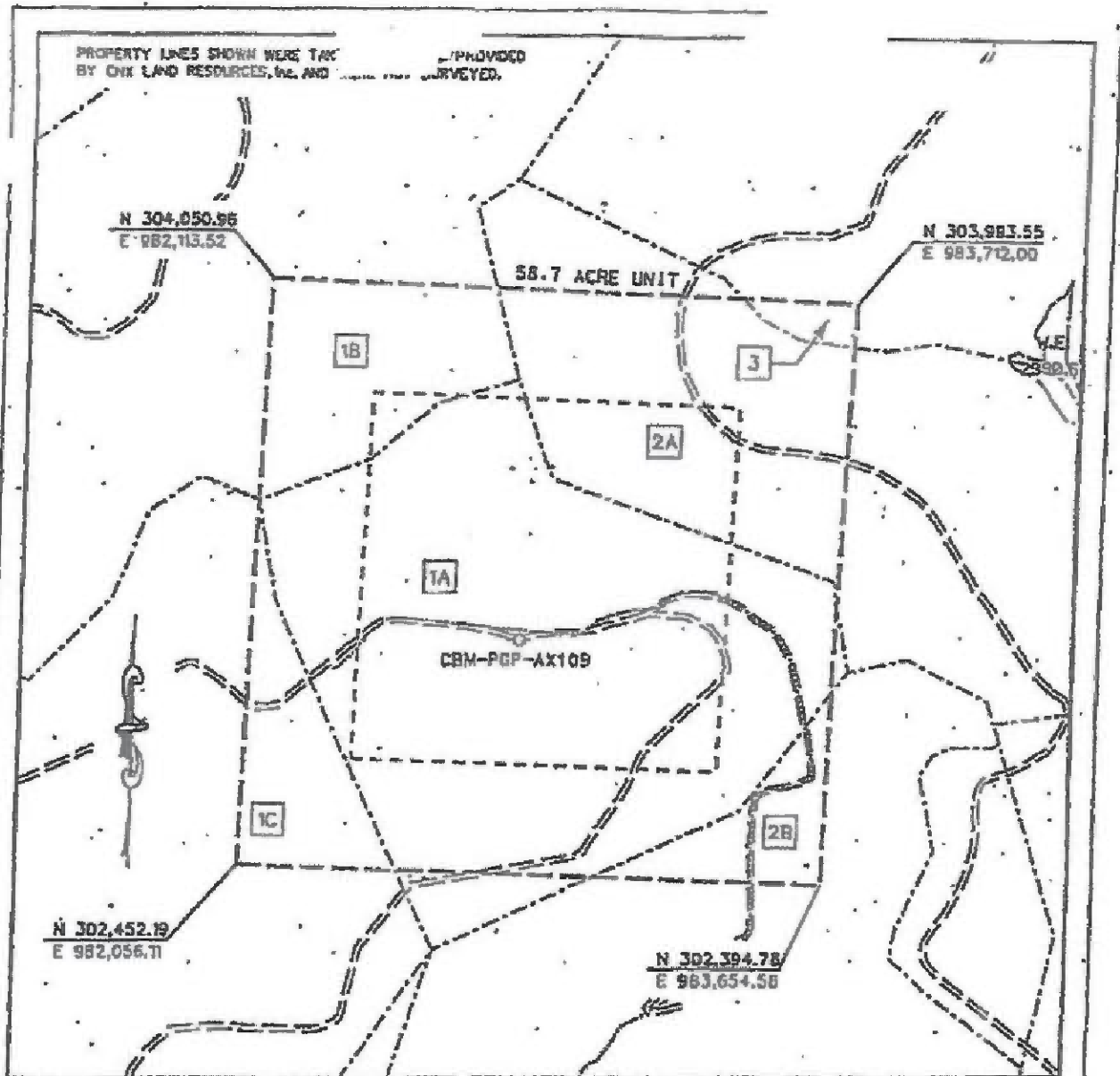


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AX-109
FORCE POOLING
VGDB-01-0821-0912

Company Poconongas Gas Partnership Well Name and Number UNIT-AX109
Tract No. _____ Elevation _____ Quadrangle HARRISDALE U. 101-102
County Russell District New Garden Scale: 1" = 400' Date 7/18/01
This plot is a new plot X ; an updated plot _____ ; or original plot _____

Form OGD-GD-7
Rev. 9/91

Charles D. Noy
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CNX GAS COMPANY LLC

Unit AX-109

Tract Identification

(68.70 Acre Unit)

- 1A. Buckhorn Coal Company, Tract 5 (Jacob Fuller 439.04 Acre Tract) – Coal
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Peggy Rasnake, et al (122 Acre Tract) – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 31.98 acres 54.4804%
- 1B. Buckhorn Coal Company, Tract 5 (Jacob Fuller 439.04 Acre Tract) – Coal
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 James Rasnake, et al (68.00 Acre Tract) – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased (1/24)
 Buckhorn Coal Company (50%)/James Rasnake, et al (50%) – CBM
 Buckhorn Coal Company – Surface
 6.57 acres 11.1925%
- 1C. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) – Fee
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 4.41 acres 7.5128%
- 2A. Buckhorn Coal Company (H.C. Stuart 405 Acre Tract) – Coal
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Michael Whited, et al – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Michael Whited – Surface
 12.32 acres 20.9881%
- 2B. Buckhorn Coal Company (H.C. Stuart 405 Acre Tract) – Coal
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Peggy Rasnake, et al (122 Acre Tract) – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 2.80 acres 4.7700%
3. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) – Coal
 Knox Creek Coal Company – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Michael Whited, et al – Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Michael Whited – Surface
 0.62 acres 1.0562%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit E
Unit AX109
Docket #VGOB 01-0821-0912-02
List of Respondents that require escrow
(58.70 Acre Unit)

BOOK 0798 PAGE 0234

	Acres in Unit	Interest in Unit
Escrowing not required		

Exhibit EE
Unit AX-109
Docket #VGOB 01-0821-0912-02

List of Respondents with Royalty Split Agreements/Court Orders/ Deeds
(58.70 Acre Unit)

	Acres In Unit	Interest In Unit	Percent of Escrow
<u>Tract #1A, 31.98 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company, Tr. 5 (Jacob Fuller 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	31.98 acres	54.4804%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Peggy Rasnake, et al (previously Michael O. Rasnake)	31.98 acres	54.4804%	
(a) Michael Rasnake Heirs, Devisees, Successors or Assigns			
(a.1) Peggy Rasnake 73 Miller Creek Rd. Honaker, VA 24260	10.66 acres 1/3 of 31.98 acres	18.1601%	n/a
(a.2) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260	10.66 acres 1/3 of 31.98 acres	18.1601%	n/a
(a.3) Donna Jean Whitt 6980 Drill Rd. Honaker, VA 24260	10.66 acres 1/3 of 31.98 acres	18.1601%	n/a
By Deed of Indenture dated 09/17/10, Mike Rasnake, Dec. (DB 725/636) conveyed an undivided one-half (1/2) interest in their claim to the CBM Estate to Buckhorn Coal Company. In turn, Buckhorn Coal Company conveyed the same.			
<u>Tract #1B, 6.57 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company, Tr. 5 (Jacob Fuller 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	6.57 acres	11.1925%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) James Rasnake, et al. (a.k.a. - Jacob Fuller Heirs, Devisees, Successors or Assigns - 68 Acre Tract)	6.57 acres	11.1925%	
(a) James D. Rasnake P.O. Box 1914 Honaker, VA 24260	3.15 acres 23/48 of 6.57 acres	5.3631%	n/a
(b) Mike O. Rasnake Heirs, Devisees, Successors or Assigns			
(b.1) Peggy Rasnake	By Deed of Gift dated April 25, 2012, Peggy Rasnake conveyed her interest to Bobby Rasnake, Donna Whitt, Harold Dye & Deborah Carlock; DB 747/285 (RC) & Inst.# 120600804 (BC) Bobby Rasnake and Donna Whitt also joined in the deed to convey the same equally.		
(b.1) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260	0.79 acres 23/192 of 6.57 acres	1.3408%	n/a
(b.2) Donna Jean Whitt 6980 Drill Rd. Honaker, VA 24260	0.79 acres 23/192 of 6.57 acres	1.3406%	n/a
(b.3) Harold David Dye 1182 Fescue Road Rowe, VA 24646	0.79 acres 23/192 of 6.57 acres	1.3408%	n/a

Exhibit EE
Unit AX-109
Docket #VGOB 01-0821-0912-02
List of Respondents with Royalty Split Agreements/Court Orders/ Deeds
(58.70 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
(b.4) Deborah Cook Carlock 1394 Elk Garden Road Lebanon, VA 24266	0.79 acres 23/192 of 6.57 acres	1.3408%	n/a
(c) Lucy Blankenship P.O. Box 1914 Honaker, VA 24260	0.27 acres 1/24 of 6.57 acres	0.4664%	n/a
<u>CBM OWNERSHIP (68 Acre Tract):</u>			
<i>By Deed of Indenture each dated 09/17/10, James Rasnake (DB 725/632), Mike Rasnake, Dec. (DB 725/638) and Lucy Blankenship (DB 725/625) conveyed an undivided one-half (1/2) interest in their claim to the CBM Estate to Buckhorn Coal Company. In turn, Buckhorn Coal Company conveyed the same.</i>			
(1) James Rasnake, et al. (e.k.a. - Jacob Fuller Heirs, devisees, Successors or Assigns - 68 Acre Tract)	6.57 acres	11.1925%	
(a) James D. Rasnake P.O. Box 1914 Honaker, VA 24260	1.57 acres 23/96 of 6.57 acres	2.6815%	n/a
(b.1) Peggy Rasnake	<i>By Deed of Gift dated April 25, 2012, Peggy Rasnake conveyed her interest to Bobby Rasnake, Donna Whitt, Harold Dye & Deborah Carlock; DB 747/265 (RC) & Inst.# 120060804 (BC) Bobby Rasnake and Donna Whitt also joined in the deed to convey the same equally.</i>		
(b.1) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260	0.39 acres 23/384 of 6.57 acres	0.6704%	n/a
(b.2) Donna Jean Whitt 6880 Drill Rd. Honaker, VA 24260	0.39 acres 23/384 of 6.57 acres	0.6704%	n/a
(b.3) Harold David Dye 1162 Fescue Road Rowe, VA 24646	0.39 acres 23/384 of 6.57 acres	0.6704%	n/a
(b.4) Deborah Cook Carlock 1394 Elk Garden Road Lebanon, VA 24266	0.39 acres 23/384 of 6.57 acres	0.6704%	n/a
(c) Lucy Blankenship P.O. Box 1914 Honaker, VA 24260	0.14 acres 1/48 of 6.57 acres	0.2332%	n/a
(2) Buckhorn Coal Company, Tr. 5 (Jacob Fuller 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	3.29 acres 1/2 of 6.57 acres	5.5963%	n/a
<i>Due to the Settlement Agreement and Release dated April 17, 2012, CNX will receive a one time payment of funds in escrow</i>			
CNX Gas Company LLC P.O. Box 643830 Columbus, PA 15264-3830			100.0000%

Tract #2A, 12.32 acres**COAL OWNERSHIP**

(1) Buckhorn Coal Company (H. C. Stuart 405.00 Acre Tract) P. O. Box 187 Tazewell, VA 24651	12.32 acres	20.9861%	n/a
--	-------------	----------	-----

OIL & GAS OWNERSHIP

(1) Michael Whited, et al (Columbus Earl Whited Heirs)	12.32 acres	20.9861%	
---	-------------	----------	--

Exhibit EE
Unit AX-109
Docket #VGOB 01-0821-0912-02
List of Respondents with Royalty Split Agreements/Court Orders/ Deeds
(58.70 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
(a) Michael Whited P.O. Box 297 Swords Creek, VA 24649	1.23 acres 1/10 of 12.32 acres	2.0988%	n/a
(b) Ferrel Whited P.O. Box 1471 Honaker, VA 24260	2.22 acres 9/50 of 12.32 acres	3.7779%	n/a
(c) Marty Whited P.O. Box 881 Lebanon, VA 24266	2.22 acres 9/50 of 12.32 acres	3.7779%	n/a
(d) Cathy Darlene Ward 2014 Miller Creek Rd. Swords Creek, VA 24649	2.22 acres 9/50 of 12.32 acres	3.7779%	n/a
(e) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	2.22 acres 9/50 of 12.32 acres	3.7779%	n/a
(f) Melissa Skeens 120 Clifton Farm Rd. Honaker, VA 24260	2.22 acres 9/50 of 12.32 acres	3.7779%	n/a

Tract #2B, 2.80 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company (H. C. Stuart 405.00 Acre Tract) P. O. Box 187 Tazewell, VA 24651	2.80 acres	4.7700%	n/a
--	------------	---------	-----

OIL & GAS OWNERSHIP

(1) Peggy Rasnake, et al (previously Michael O. Rasnake)	2.80 acres	4.7700%	
(a) Michael Rasnake Heirs, Devisees, Successors or Assigns			
(a.1) Peggy Rasnake 73 Miller Creek Rd. Honaker, VA 24260	0.93 acres 1/3 of 2.80 acres	1.5900%	n/a
(a.2) Bobby Lee Rasnake 1233 Miller Creek Rd. Honaker, VA 24260	0.93 acres 1/3 of 2.80 acres	1.5900%	n/a
(a.3) Donna Jean Whitt 6980 Drill Rd. Honaker, VA 24260	0.93 acres 1/3 of 2.80 acres	1.5900%	n/a

By Deed of Indenture dated 09/17/10, Mike Rasnake, Dec. (DB 725/638) conveyed an undivided one-half (1/2) interest in their claim to the CBM Estate to Buckhorn Coal Company. In turn, Buckhorn Coal Company conveyed the same.

Tract #3, 0.62 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company (Jacob Fuller 453.00 Acre Tract) P. O. Box 187 Tazewell, VA 24651	0.62 acres	1.0562%	n/a
--	------------	---------	-----

OIL & GAS OWNERSHIP

(1) Michael Whited, et al (Columbus Earl Whited Heirs)	0.62 acres	1.0562%	
(a) Michael Whited P.O. Box 297 Swords Creek, VA 24649	0.06 acres 1/10 of 0.62 acres	0.1056%	n/a

Exhibit EE
Unit AX-109

Docket #VGOB 01-0821-0912-02

List of Respondents with Royalty Split Agreements/Court Orders/ Deeds
(58.70 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
(b) Ferrel Whited P.O. Box 1471 Honaker, VA 24260	0.11 acres 9/50 of 0.62 acres	0.1901%	n/a
(c) Marly Whited P.O. Box 691 Lebanon, VA 24266	0.11 acres 9/50 of 0.62 acres	0.1901%	n/a
(d) Cathy Darlene Ward 2014 Miller Creek Rd. Swords Creek, VA 24649	0.11 acres 9/50 of 0.62 acres	0.1901%	n/a
(e) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	0.11 acres 9/50 of 0.62 acres	0.1901%	n/a
(f) Melissa Skeens 120 Clifton Farm Rd. Honaker, VA 24260	0.11 acres 9/50 of 0.62 acres	0.1901%	n/a

1600198

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 2-1 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:10 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Ketron

TESTE: ANN S. McREYNOLDS, CLERK
BY: [Signature] D. CLERK