

0917-01

BOOK 0810 PAGE 0729

Instrument Control Number

[Empty box for Instrument Control Number]

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.66]

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Date of Instrument: [10/28/16]

Instrument Type: [ODAR]

Number of Parcels [1]

Number of Pages [11]

City County [Russell County] (Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas & Oil Board]	[[[
[[[[

First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[H. C. Bostic Coal Com]	[[[
[[[[

Grantee Address (Name) [CNX Gas Company, LLC]
 (Address 1) [1000 Consol Energy Drive]
 (Address 2) []
 (City, State, Zip) [Cannonsburg] [PA] [15317-6506]

Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City County [Russell County] Percent. in this Juris. [100]

Book [564] Page [699] Instr. No []

Parcel Identification No (PIN) []

Tax Map Num. (if different than PIN) []

Short Property Description [Report of the Board]

Current Property Address (Address 1) []

(Address 2) []

(City, State, Zip) [] [] []

Instrument Prepared by [Virginia Gas & Oil Board]

Recording Paid for by [DMME]

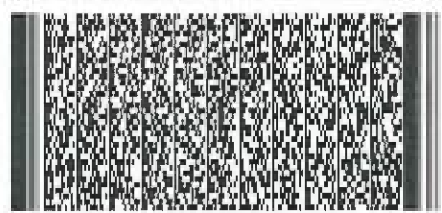
Return Recording to (Name) [DMME - Division of Gas & Oil]

(Address 1) [P. O. Drawer 159]

(Address 2) []

(City, State, Zip) [Lebanon] [VA] [24266]

Customer Case ID [] [] []





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

UNITWELL NAME: AY115

TRACT(S): 4

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-01-0821-0917-01

APPLICANTS: CNX Gas Company LLC on behalf of H.C. Bostic Coal Company, Inc.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
October 25, 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 610.
2. Supplemental Order Executed 09/16/2002, Recorded on 09/20/2002, Deed Book/Instrument No. 564, Page 699.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the October 25, 2016 hearing and considered whether to:

(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 4 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 4 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. H.C. Bostic Coal Co., Inc. is entitled to 100% of the CBM royalties awarded under Case No. 16-324, Opinion dated May 4, 2016. Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.
- b. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- c. 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.
- d. That Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant H.C. Bostic Coal Co., Inc. and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit AY115

VGOB-01-0821-0917-01

Table 1

Tracts: 4

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split Agreement	Escrowed		Percent of		Adjustment Amount
						Acres	Disbursed	Escrowed Funds	Disbursed	
			In Tract	in Tract		Disbursed		Disbursed		
						0.07000				
4	4	Tract 4 (total acreage)	0.0700	0.0700	100.00%	0.0700	100.0000%			

Adjustment Comments:

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.

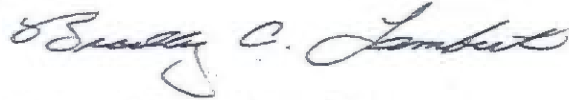
CONCLUSION:

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 27 day of October, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 27 day of October, 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 27th day of October, 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 01-0821-0917-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4 (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: October 18, 2016

DRILLING UNIT: AY115

RUSSELL 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, attributable to Tract 4, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to H.C. Bostic Coal Co., Inc.

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. H.C. Bostic Coal Co., Inc. is entitled to 100% of the CBM royalties awarded under Case No. 16 -324, Opinion dated May 4, 2016, Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.
- b. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- c. 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.
- d. That Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant H.C. Bostic Coal Co., Inc. 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 CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

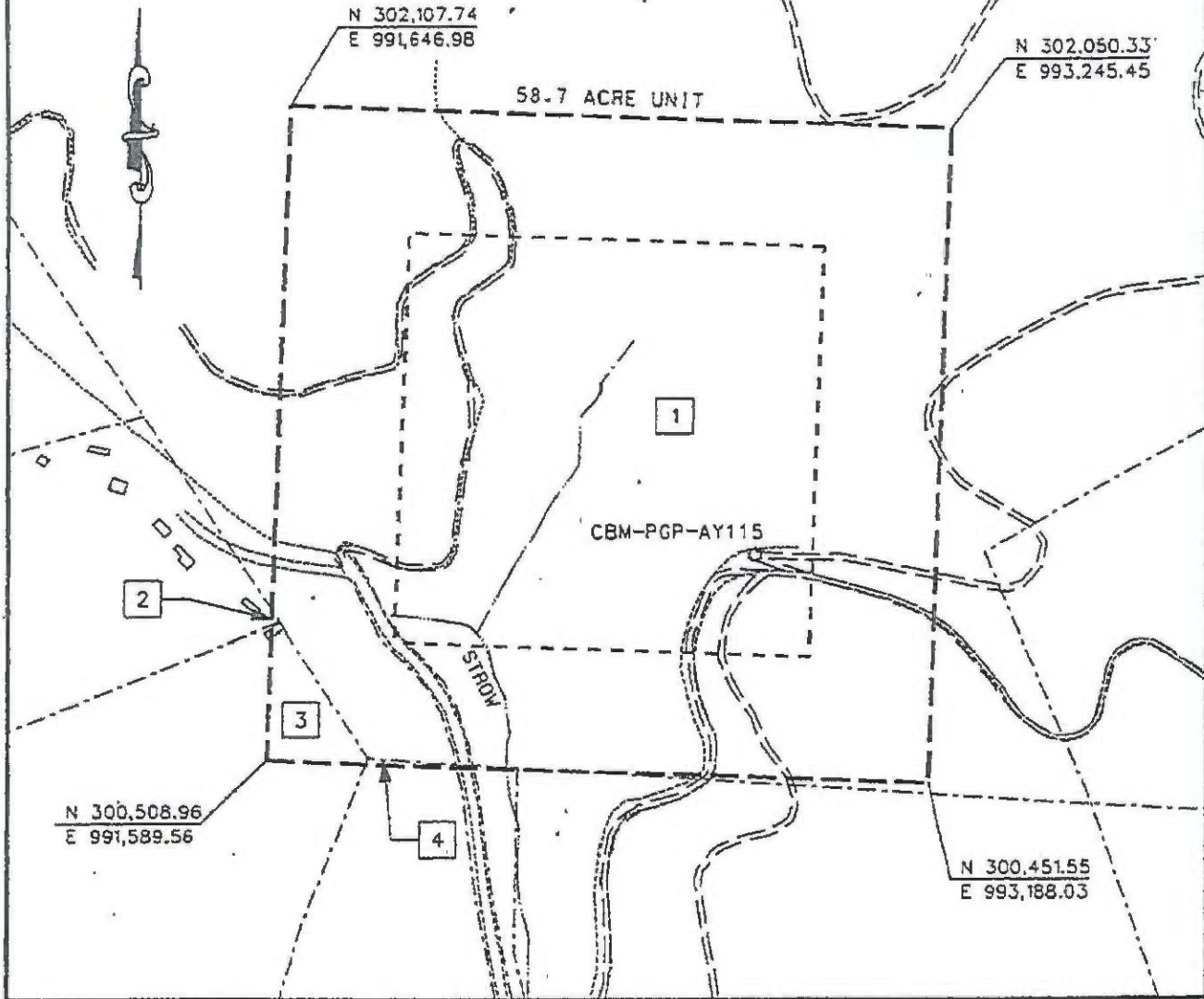


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AY-115
FORCE POOLING
VGOB-01-0821-0917

Company Pocahontas Gas Partnership Well Name and Number UNIT AY115

Tract No. _____ Elevation _____ Quadrangle Hankers

County Russell District New Garden Scale: 1" = 400' Date 7/16/01

This plat is a new plat X ; on an updated plat _____ ; or a final plat, _____

Form DGO-GO-7
Rev. 9/91

Clint O'Neil
Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)

POCAHONTAS GAS PARTNERSHIP

CBM-PGP-AY-115

Tract Identifications

(58.7 Acre Unit)

1. Buckhorn Coal Mining Tr. 7 - Fee
Consolidation Coal Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased Except Kennedy Seam
H. C. Bostic Coal Company - Kennedy Seam Leased
Pocahontas Gas Partnership - CBM Leased
Reserve Coal Properties Company - Oil & Gas Leased
57.58 acres 98.0920 %
2. Pocahontas Gas Partnership - Coal, Oil & Gas
Knox Creek Coal Corp. - Tiller and Above Coal Seams Leased (Except Upper Banner Seam)
Bernie D. Dye - Surface
0.01 acres 0.0170 %
3. Barbara Foote, et al. - Coal, Oil & Gas
Knox Creek Coal Corp. - Tiller and Above Coal Leased
Bernie D. Dye - Surface
1.04 acres 1.7717 %
4. H. C. Bostic Coal Company, Inc. - Coal
H. C. Bostic Coal Company, Inc. or Joseph L. Strouth Heirs, Devisees, Successors or Assigns -
Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
Tivis W. Hubbard, et ux. - Surface
0.07 acres 0.1193 %

Exhibit EE
 Unit AY-115
 Docket #VGOB 01-0821-0917-01
 List of Respondents with Royalty Split Agreements/Court Order/HB2058
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #4, 0.07 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) H.C. Bostic Coal Company, Inc. (16.34 Acre Tract) P.O. Box 220 Swords Creek, VA 24649	0.07 acres	0.1192%	
<u>OIL & GAS OWNERSHIP</u>			
(1) H.C. Bostic Coal Company, Inc. (16.34 Acre Tract) P.O. Box 220 Swords Creek, VA 24649	0.07 acres	0.1192%	100.00% Court Order

Prevailing plaintiff under Case No. CL16-324
 Determined to be fee owner, 100% of CBM
 Royalty due to owner.

1602210

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 11-15 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:57 o'clock a M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Ketun

TESTE: ANN S. McREYNOLDS, CLERK
 BY: Kathy Huff D. CLERK