

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: Y7

TRACT(S): 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-01-0821-0918-01

APPLICANTS: CNX Gas Company LLC on behalf of Deborah Crumpton, Harrison-Wyatt LLC

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
April 19, 2016 and May 10, 2016

APPEARANCES: Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 12/18/2001, Recorded on 01/11/2002, Deed Book/Instrument No. 537, Page 575.
2. Supplemental Order Executed 02/18/2003, Recorded on 02/21/2003, Deed Book/Instrument No. 563, Page 325.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the April 19, 2016 hearing and was continued to May 10, 2016 where the Board 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.

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(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) 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:

- a. Harrison-Wyatt LLC & Deborah Crumpton have entered into royalty split agreement(s). Said royalty split agreement (s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- 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 Harrison-Wyatt LLC & Deborah Crumpton and not escrow same. See Exhibit EE annexed hereto.

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.

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DONE AND EXECUTED this 11 day of May, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

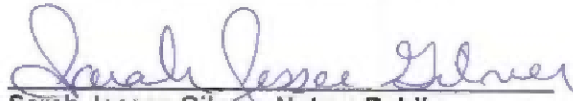
DONE AND PERFORMED this 11 day of May, 2016 by Order of the Virginia Gas and Oil Board.



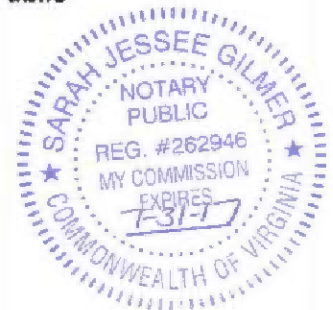
Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 11th day of May, 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 01-0821-0918-01

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: April 19, 2016**DRILLING UNIT:** Y7**BUCHANAN COUNTY, VIRGINIA****PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS****1. Petitioner and its counsel**

Petitioner is CNX Gas Company LLC, P. O. 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 Harrison-Wyatt LLC & Deborah Crumpton; (3) Dismissal of Coal Owner: Harrison-Wyatt, 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

- a. Harrison-Wyatt LLC & Deborah Crumpton have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- 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 Harrison-Wyatt LLC & Deborah Crumpton 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.

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PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, INC. AND WERE NOT SURVEYED.

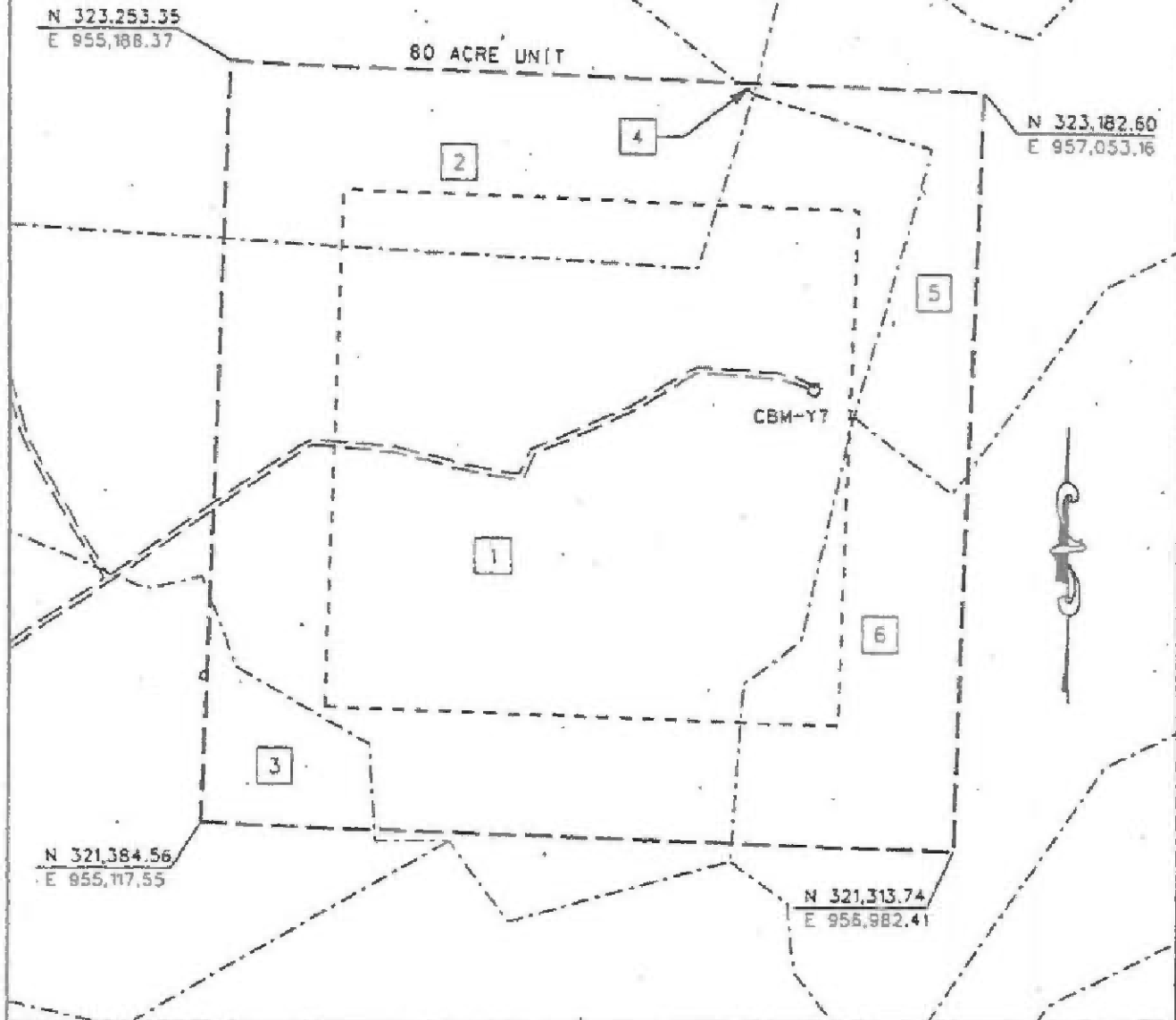


EXHIBIT A
OAKWOOD FIELD UNIT Y-7
FORCE POOLING
VGOB-01-0821-0918

Company CONSOL Energy Inc. Well Name and Number UNIT Y7
Tract No. _____ Elevation _____ Quadrangle Vansant
County Buchanan District Proter Scale: 1" = 400' Date 7/16/01
This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGD-GO-7
Rev. 9/91

Charles O. May
Licensed Professional Engineer or Licensed Land Surveyor

CONSOL Energy INC.**UNIT Y-7****Tract Identifications****BOOK 563 PAGE 330**

1. Levisa Coal Corporation Tr. 65 - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal below Tiller Seam Leased
Jewell Smokeless Coal Company - Tiller and Above Coal Leased
John W. Pobst, Jr., et al. - All Minerals except Coal
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Henry Barton - Surface
49.23 acres 61.5375 %
2. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 25 - All Minerals
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Unknown Surface Owner
12.64 acres 15.8000 %
3. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 48 - All Minerals
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Leased
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Henry Barton - Surface
3.18 acres 3.9750 %
4. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 23 - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Harris Crumpton, et ux. - Surface and All Minerals except Coal
0.01 acres 0.0125 %
5. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 27 - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Buchanan Production Company - Surface and All Minerals except Coal
5.09 acres 6.3625 %
6. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 37 - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Leased
Buchanan Production Company - CBM Leased
Buchanan Production Company - Oil and Gas Leased
Heirs, Devisees, Successors or Assigns of Frank Howard - All Minerals except Coal (50%)
Heirs, Devisees, Successors or Assigns of James A. Tiller - All Minerals except Coal (50%)
Riddle Colley Heirs - Surface

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CONSOL Energy INC.
UNIT Y-7

BOOK 563 PAGE 331

Tract Identifications

9.85 acres

12.3125 %

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Exhibit E
Unit Y-7
Docket # VGOB 01-0821-0918-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #6 - 9.85 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Tr.37) P.O. Box 11000 Danville, VA 24543	9.85 acres	12.3125%
<u>OIL & GAS OWNERSHIP</u>		
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>		
Frank Howard Heirs, Devisees, Successors or Assigns, et al.	9.85 acres	12.3125%
(1) Frank Howard Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	4.93 acres 1/2 of 9.85 acres	6.1563%
(2) James A. Tiller Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	4.93 acres 1/2 of 9.85 acres	6.1563%
<u>TOTALS:</u>		
Total Acreage Remaining in Unit	9.8500	
Total Percentage Remaining of Unit		12.3125%

Exhibit EE
Unit Y-7
Docket #VGOB 01-0821-0918-01
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058

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	Acres in Unit	Percent of Unit	Percent of Unit
<u>Tract #4 - 0.01 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Tr.23) P.O. Box 11000 Danville, VA 24543	0.01 acres	0.0125%	0.0507% Royalty Split
<u>OIL & GAS OWNERSHIP</u>			
(1) Deborah Crumpton P.O. Box 72 Oakwood, VA 24631	0.01 acres	0.0125%	0.0507% Royalty Split
<u>Tract #5 - 5.09 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Tr.27) P.O. Box 11000 Danville, VA 24543	5.09 acres	6.3625%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Buchanan Production Company * P.O. Box 947 Bluefield, VA 24605	5.09 acres	6.3625%	n/a

*Note: The previous owners, Hubert & Evelyn Keen will receive their portion of the royalties as agreed in the royalty split signed with Harrison-Wyatt, L.L.C. up to and including December 2002 production. Fifty percent of the royalties from January 2003 forward will be paid to the current owner, Buchanan Production Company as agreed in the royalty split they also have in place with Landon Wyatt, L.L.C.

TOTALS:

Total Acreage Resolved in Unit	5.1000	
Total Percentage Resolved of Unit		6.3750%

INSTRUMENT #160000895
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MAY 19, 2016 AT 04:39PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLP