

Instrument Control Number

[Empty box for Instrument Control Number]

1028-02

BOOK 0811 PAGE 0671

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.66]

TAX EXEMPT CORP

Date of Instrument: [11/30/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1 ]

Number of Pages [ 12 ]

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

First and Second Grantors

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Row 1: [-], [Virginia Gas & Oil Board], [], []

First and Second Grantees

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Row 1: [x] [-], [CNX Gas Company, LLC], [], []

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 [x] [Russell County ] Percent. in this Juris. [ 100]

Book [0807 ] Page [158 ] 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 ]

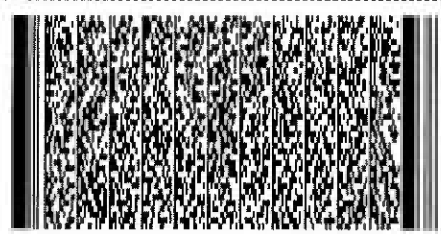
Return Recording to (Name) [DMME - Division of Gas & Oil ]

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

(Address 2) [ ]

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

Customer Case ID [ ] [ ] [ ]



Instrument Control Number

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BOOK 0811 PAGE 0672

Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form B

[ILS VLR Cover Sheet Agent 1.0.66]

TAX EXEMPT GRANTOR GRANTEE CORP

Date of Instrument: [11/30/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1 ]

Number of Pages [ 12 ]

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

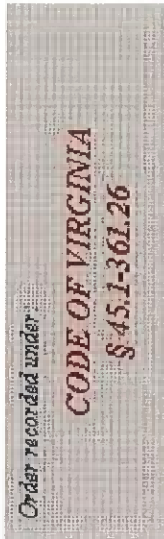
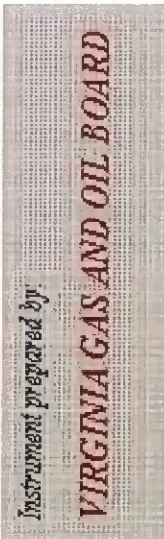
Grantors/Grantees/Parcel Continuation Form B

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Rows include entries like [-], [Strouth], [Strouth], [Strouth], [Strouth], [Miller], [Honaker], [Strouth], [Meadows], [Meadows], [Stiltner], [Whitt], [Price], [Spencer], [Ball], [Newberry].

Prior Instr. Recorded at: City [ ] County [ ] [ ] Percent. in this Juris. [ ]
Book [ ] Page [ ] Instr. No [ ]
Parcel Identification No (PIN) [ ]
Tax Map Num. (if different than PIN) [ ]
Short Property Description [ ]
Current Property Address (Address 1) [ ]
(Address 2) [ ]
(City, State, Zip) [ ] [ ] [ ]







**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:** AZ115

**TRACT(S):** 4

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-02-0521-1028-02

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

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
November 15, 2016

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

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 10/04/2002, Recorded on 10/09/2002, Deed Book/Instrument No. 566, Page 480.
2. Supplemental Order Executed 02/18/2003, Recorded on 02/25/2003, Deed Book/Instrument No. 576, Page 0001.
3. Supplemental Order, Recorded on 01/11/2013, Deed Book/Instrument No. 0756, Page 0757.
4. Disbursement Order -01 Executed 08/24/2016, Recorded on 08/30/2016, Deed Book/Instrument No. 0807, Page 158.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the November 15, 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.



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.

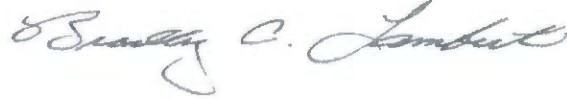
**CONCLUSION:**

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 16 day of November, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

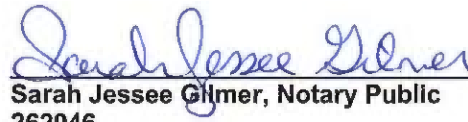
DONE AND PERFORMED this 16 day of November, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 16th day of November, 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 02-0521-1028-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES.

HEARING DATE: November 15, 2016

DRILLING UNIT: AZ115

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)

CBM - No dismissal

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.

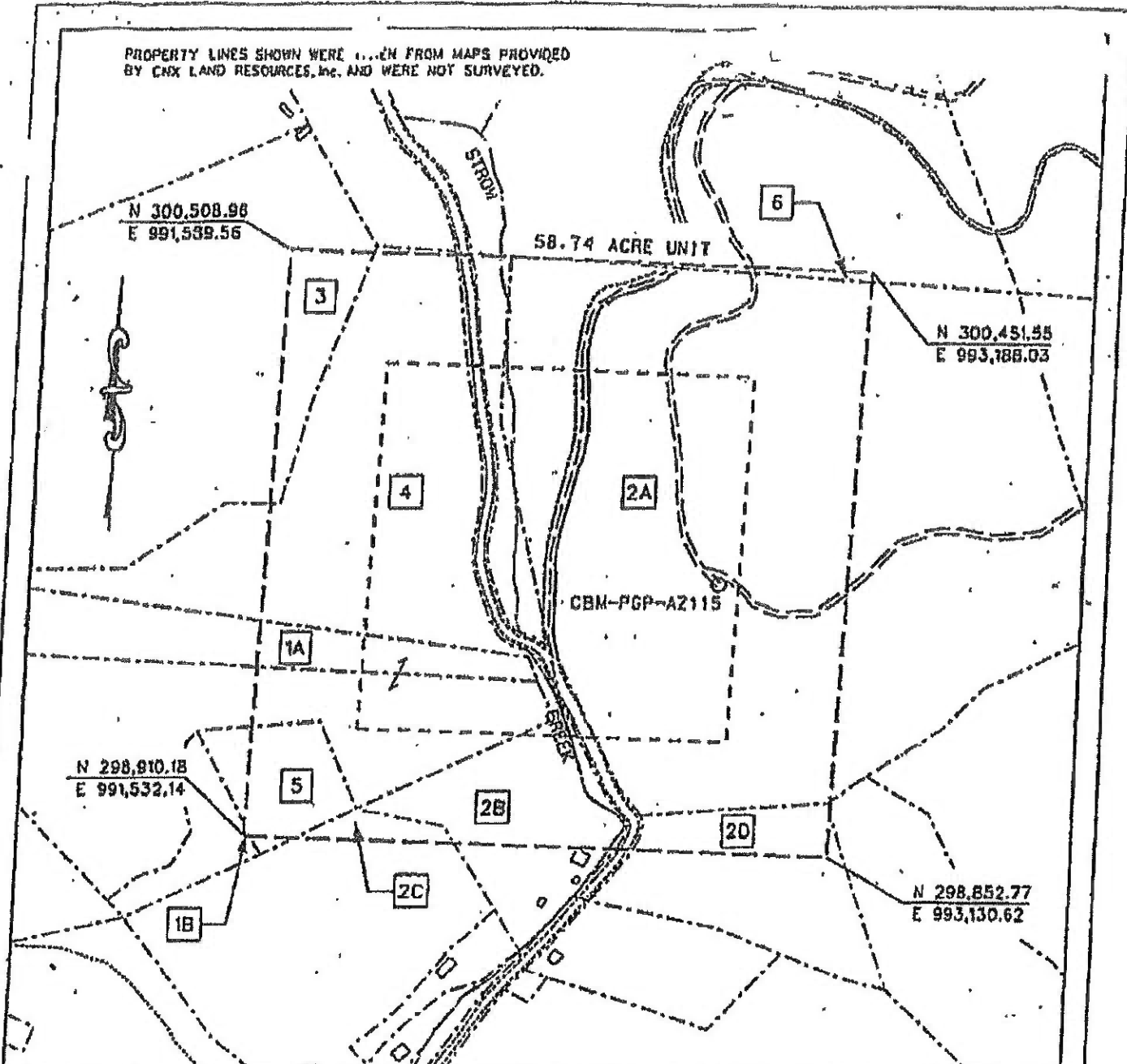


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT AZ-115  
 FORCE POOLING  
 VGOB-02-0521-1028

Company Pocahontas Gas Partnership Well Name and Number UNIT AZ115

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Harker

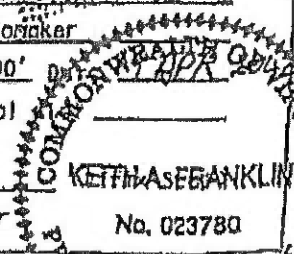
County Russell District New Garden Scale: 1" = 400'

This plot is a new plot X; on updated plot \_\_\_\_\_; or a final \_\_\_\_\_

Form D60-G0-1  
 Rev. 9/91

Keith A Franklin  
 Licensed Professional Engineer or Licensed Land Surveyor

No. 023780



**CNX Gas Company LLC****UNIT AZ115**Tract Identifications  
(58.74 Acre Unit)

- 1A. CNX Gas Company LLC - Fee  
Reserve Coal Properties Company - Coal In and Above Tiller Seam Leased  
5.75 acres 9.7889 %
- 1B. CNX Gas Company LLC - Coal  
Reserve Coal Properties Company - Coal In and Above Tiller Seam Leased  
Dally Strouth, Jr. - Surface, Oil and Gas  
0.01 acres 0.0170 %
2. Swords Creek Land Partnership Tr. 16 (Moses Strow 117.60 Acre Tract) - All Minerals  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
34.61 acres 59.9207 %
- 2A. H. C. Bostic Coal Company, Inc. - Surface  
2B. CNX Gas Company LLC - Surface  
2C. Dally Strouth, Jr. - Surface  
2D. James Deal, et ux - Surface  
2E. Unknown Surface Owner
3. Barbara Foote, et al - All Minerals  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Bernie D. Dye - Surface  
2.00 acres 3.4048 %
4. H. C. Bostic Coal Company, Inc. (16.34 Acre Tract) - Coal  
H. C. Bostic Coal Company, Inc. OR Joseph L. Strouth - Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased (If owned by H. C. Bostic Coal Company, Inc.)  
Tivis W. Hubbard, et ux - Surface  
14.35 acres 24.4297 %
5. CNX Gas Company LLC - (1/6) / J. P. Strouth Heirs, devisees, Successors or Assigns (5/6) - Coal  
CNX Gas Company LLC - CBM Leased (29.17%) (CNX owns 1/6 interest)  
CNX Gas Company LLC - Surface, Oil and Gas  
1.75 acres 2.9792 %
6. Buckhorn Coal Company Tr. 7 (M. W. Lytton 1000.00 Acre Tract) - Fee  
Knox Creek Coal Company - Above Drainage Coal Leased  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.27 acres 0.4597 %

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

Page 1 of 1

February 8, 2012

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Exhibit E  
Unit AZ-115  
Docket #VGOB 02-0521-1028-02  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<i>Escrowing no longer required</i>		

Exhibit EE  
Unit AZ-115  
Docket #VGOB 02-0521-1028-02  
List of Owners with Royalty Splits/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres in Unit	Interest In Unit	Percent of Escrow
			14.3500
<b><u>Tract #1B, 0.01 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>previously Pocahontas Gas Partnership</i>	0.01 acres	0.0170%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Daily Strouth, Jr. 48 Timber Lane Dr Honaker, VA 24260	0.01 acres	0.0170%	<i>n/a</i>
<b><u>Tract #4, 14.35 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) H.C. Bostlic Coal Co., Inc. P.O. Box 220 Swords Creek, VA 24649	14.35 acres	24.4297%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) H.C. Bostlic Coal Co., Inc. P.O. Box 220 Swords Creek, VA 24649  <i>Prevailing plaintiff under Case No. CL16-324 Determined to be fee owner, 100% of CBM Royalty due to owner.</i>	14.35 acres	24.4297%	<b>100.00%</b> Court Order
<b>- OR -</b>			
(1) Joseph L. Strouth <i>Address Unknown</i>	14.35 acres	24.4297%	<i>Not the owner</i>
<b><u>Tract #5, 1.75 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) J. P. Strouth Helton Heirs, Devises, Successors or Assigns (2 acre tract)	1.75 acres	2.9792%	
(a) Daily Strouth, Sr. Heirs Devises, Successors, or Assigns			
(a.1) Daily Strouth, Jr. 48 Timber Lane Dr Honaker, VA 24260	0.29 acres 1/6 of 1.75 acres	0.4965%	<i>n/a</i>
(b) Garlin Strouth Heirs, Devises, Successors or Assigns			
(b.1) David Strouth Box 824 Honaker, VA 24260	0.07 acres 1/24 of 1.75 acres	0.1241%	<i>n/a</i>
(b.2) Clifford Strouth 1041 Henry Road Ferrum, VA 24088	0.07 acres 1/24 of 1.75 acres	0.1241%	<i>n/a</i>

Exhibit EE  
 Unit AZ-115  
 Docket #VGOB 02-0521-1028-02  
 List of Owners with Royalty Splits/Court Orders/HB2058  
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
			14.3500
(b.3) Arfey Strouth Miller P.O. Box 142 Abingdon, VA 24212	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(b.4) Barbara Miller Strouth Honaker 17045 Northfork River Road Abingdon, VA 24201	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(b.5) Maudie Honaker Strouth, Widow	<i>Life Estate Only</i>		
(c) Ida Meadows Heirs, Devisees, Successors or Assigns			
(c.1) Lawrence Meadows HC65 Box 24 Oakwood, VA 24631	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(c.2) Stephen L. Meadows P.O. Box 22 Rowe, VA 24646	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(c.3) Willa May Stiltner HC65 Box 24 Oakwood, VA 24631	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(c.4) Anna Whitt P.O. Box 190 Doran, VA 24612	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(e) Oliver Price c/o Charlie Price Rt.1 Box 241 Swords Creek, VA 24649	0.29 acres 1/6 of 1.75 acres	0.4965%	n/a
(f) Eartrue Spencer Heirs, Devisees, Successors or Asslgn			
(f.1) Glenda Spencer P.O. Box 56 Swords Creek, VA 24649	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(f.2) Maydean Ball 24040 US Highway 19 Cedar Bluff, VA 24609	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(f.3) Geraldeane Newberry P.O. Box 1652 Richlands, VA 24641	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
(f.4) Judy Carol Boyd 513 Lee Street Bristol, VA 24201-4414	0.07 acres 1/24 of 1.75 acres	0.1241%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.75 acres	2.9792%	n/a

**TOTAL ACRES RESOLVED:**

Acreege in Unit 16.1100  
 Percentage of Unit 27.4259%

1602321

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 11-30, 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at o'clock P. M. after payment of \$ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK  
 BY: *Sheila Kitter* D. CLERK

Original returned this date to: *Sarah Wilmes*