

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: EE35

TRACT(S): 2B, 4

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-02-0820-1056-01

APPLICANTS:

CNX Gas Company LLC on behalf of Clarence Randall McGlothlin, Loretta Mae Richardson,
Paul Eugene Richardson, Shelby Ruth Richardson

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
March 15, 2016

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 04/20/2004, Recorded on 04/28/2004, Deed Book/Instrument No. 607, Page 813.
2. Supplemental Order, Recorded on 03/14/2005, Deed Book/Instrument No. 627, Page 207.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 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) 2B, 4 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 2B, 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:

Clarence Randall McGlothlin was previously escrowed due to being unlocatable and has been found and has submitted a W9 form. In addition, Paul Eugene Richardson, Shelby Ruth Richardson, & Loretta Mae Richardson is entitled to 100% of the CBM royalties awarded under Case No. CL11-321, Opinion dated February 11, 2015. Said W9 form and decision allows the Applicant and 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.

RELIEF GRANTED:

Unit EE35
VGOB Disbursement

VGOB-02-0820-1056-01

Table 1
Tracts: 2B, 4

VGOB Disbursement							
Unit EE35							
VGOB-02-0820-1056-01							
Table 1							
Tracts: 2B, 4							
Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds Disbursed
			in Tract	inTract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				1.56900	
2B Tract 2B (total acreage)			1.2300				
1	2B	Paul Eugene Richardson\8444 S County Rd 350W Stilesville, IN 46180	1/3	0.4100	100.00%	0.4100	26.1313%
2	2B	Shelby Ruth Richardson\6169 Turner Dr Clayton, IN 46118	1/3	0.4100	100.00%	0.4100	26.1313%
3	2B	Loretta Mae Richardson\PO Box 1282 HOnaker, VA 24260-1282	1/3	0.4100	100.00%	0.4100	26.1313%
4 Tract 4 (total acreage)			16.2800				
1	4	Clarence Randall McGlothlin\120 Viewpoint Ln Mooresville, NC 28117-1557	1/48	0.3392	100.00%	0.3392	21.6167%

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 March, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

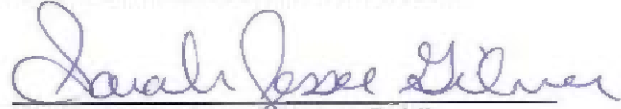
DONE AND PERFORMED this 16 day of March, 2016 by Order of the Virginia Gas and Oil Board.



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

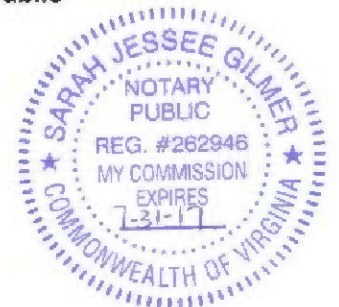
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 16th day of March, 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 02-0820-1056-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2B, 4 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES****HEARING DATE:** March 15, 2016**DRILLING UNIT:** EE35**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 Tracts 2B & 4, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs: Paul Eugene Richardson, Shelby Ruth Richardson, & Loretta Mae Richardson and authorization to begin paying royalties directly to the party that was previously identified as "unlocatable" Clarence Randall McGlothlin.

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

Clarence Randall McGlothlin was previously escrowed due to being unlocatable and has been found and has submitted a W9 form. In addition, Paul Eugene Richardson, Shelby Ruth Richardson, & Loretta Mae Richardson is entitled to 100% of the CBM royalties awarded under Case No. CL11-321, Opinion dated February 11, 2015. Said W9 form and decision allows the Applicant and 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.

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

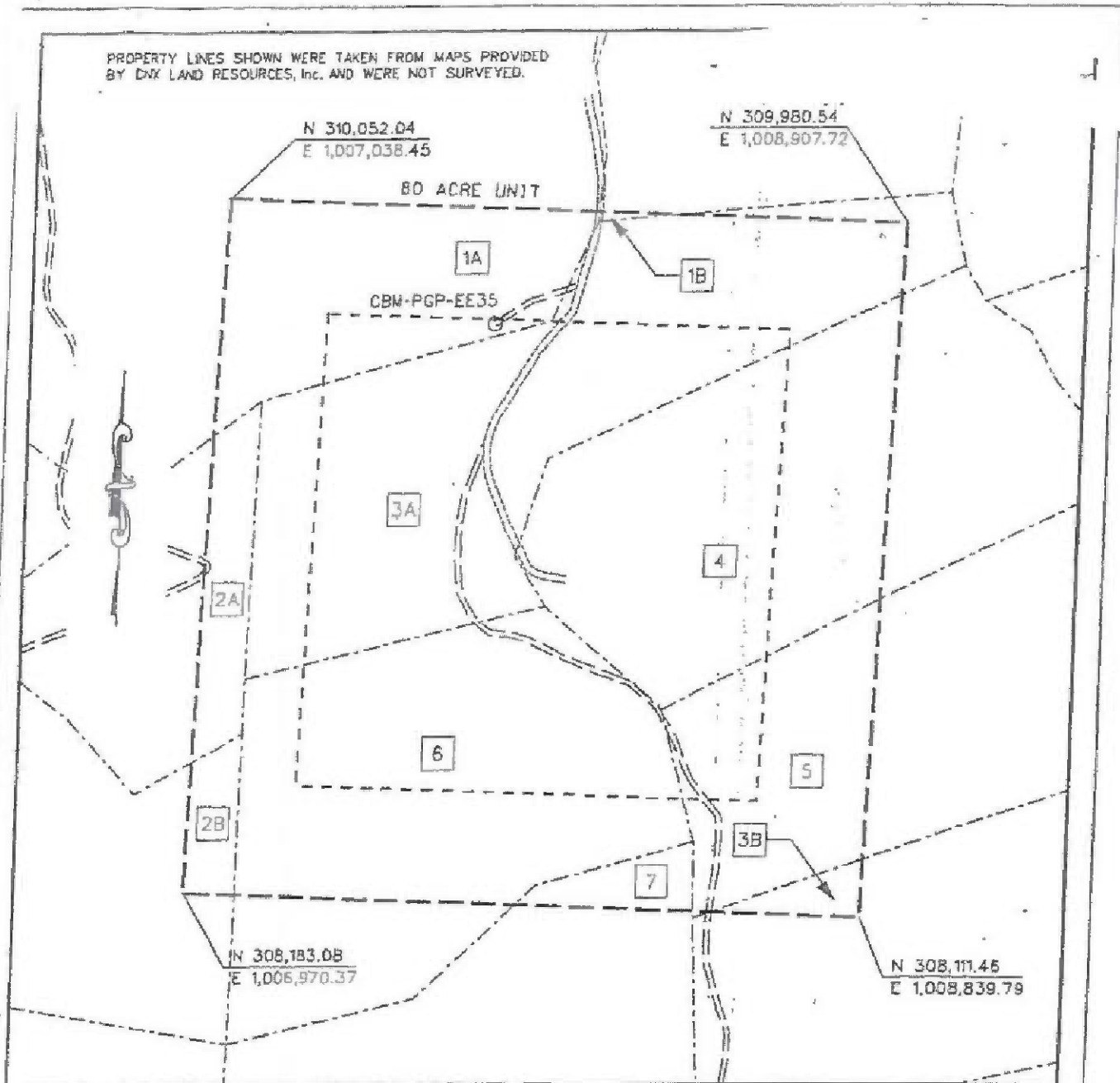


EXHIBIT A
OAKWOOD FIELD UNIT EE-35
FORCE POOLING
VGOB-02-0820-1056

Company Pocahontas Gas Partnership Well Name and Number UNIT EE35
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Russell District New Garden Scale: 1" = 400' Date 7/1/02
 This plot is a new plot X ; an updated plot _____ ; or original plot _____

Form DGD-GD-7
Rev. 9/91

Charles D. May
Licensed Professional Engineer or Licensed Land Surveyor

ATTIX Seal

**POCAHONTAS GAS PARTNERSHIP
UNIT EE-35
Tract Identifications**

- 1A. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 36 – Coal
Reserve Coal Properties Company – Below Drainage Coal Leased
Sandy Ridge Energy Corp. – Above Drainage Coal Leased
Pocahontas Gas Partnership – CBM Leased
Consol Energy, Inc. – Surface
Pocahontas Gas Partnership - Oil and Gas
9.80 acres 12.2500%

- 1B. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 36 – Coal
Reserve Coal Properties Company – Below Drainage Coal Leased
Sandy Ridge Energy Company – Above Drainage Coal Leased
Pocahontas Gas Partnership – CBM Leased
Consol Energy, Inc. – Surface
Pocahontas Gas Partnership - Oil and Gas
0.07 acres 0.0875%

- 2A. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Sandy Ridge Energy Corp. – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Edgar Wilson – Surface, Oil and Gas
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
2.63 acres 3.2875%

- 2B. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Sandy Ridge Energy Corp. – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Paul E. Richardson, et al – Surface, Oil and Gas
1.23 acres 1.5375%

- 3A. William R. McCall – Fee
Pocahontas Gas Partnership – CBM Leased
22.69 acres 28.3625%

- 3B. William R. McCall – Fee
Pocahontas Gas Partnership – CBM Leased
0.73 acres 0.9125%

- 4. Avis Belle Plaster, et al - Fee
Pocahontas Gas Partnership – Oil and Gas Leased (69.1%)
Pocahontas Gas Partnership – CBM Leased (81.61%)
16.28 acres 20.3500%

POCAHONTAS GAS PARTNERSHIP
UNIT EE-36
Tract Identifications

5. Avis Belle Plaster, et al - Fee
 Pocahontas Gas Partnership - CBM Leased (100%)
 7.55 acres 9.4375%
6. Beulah Hale, et al - Coal, Oil and Gas
 Reserve Coal Properties Company - Coal In and Below Tiller Seam Leased
 Pocahontas Gas Partnership - CBM Leased
 Paul E. Richardson, et al - Surface
 17.80 acres 22.2500%
7. Lida J. Holzgreffe, - Fee
 1.22 acres 1.5250%

Exhibit E
Unit EE-35

Docket #VGOB 02-0820-1056-01

List of Conflicting Owners/Claimants that require Escrow or Internal Suspense

	Acres in Unit	Interest in Unit
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All Conflicts Resolved

Exhibit EE
Unit EE-35
Docket #VGOB 02-0820-1056-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A, 9.80 acres</u>			1.569
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company Limited Partnership, LLP Tr. 36 (177 Acre Tract) P.O. Box 675 Tazewell, VA 24651	9.80 acres	12.2500%	n/a
<u>OIL & GAS OWNERSHIP</u>			
CNX Gas Company LLC, et al (100 Acre Tract)	9.80 acres	12.2500%	
(2) Consol Energy, Inc			
(a) CNX Gas Company LLC 1000 Consol Energy Dr Canonsburg, PA 15317	7.35 acres 3/4 of 9.80 acres	9.1875%	n/a
<u>Tract #1B, 0.07 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company Limited Partnership, LLP Tr. 36 (177 Acre Tract) P.O. Box 675 Tazewell, VA 24651	0.07 acres	0.0875%	n/a
<u>OIL & GAS OWNERSHIP</u>			
CNX Gas Company LLC, et al (47.80 Acre Tract)	0.07 acres	0.0875%	
(2) Consol Energy, Inc			
(a) CNX Gas Company LLC 1000 Consol Energy Dr Canonsburg, PA 15317	0.07 acres 55/56 of 0.07 acres	0.0859%	n/a
<u>Tract #2A, 2.63 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	2.63 acres	3.2875%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Harold Wilson, et al	2.63 acres	3.2875%	
(a) Harold Wilson 137 Baytree Rd Cedar Bluff, VA	0.53 acres 1/5 of 2.63 acres	0.8575%	n/a
(b) William Norman Wilson 226 Fairview Ln Lebanon, VA 24266	0.53 acres 1/5 of 2.63 acres	0.6575%	n/a
(c) Evelyn Geraldine Miller PO Box 147 Swords Creek, VA 24649	0.53 acres 1/5 of 2.63 acres	0.6575%	n/a

Exhibit EE
Unit EE-35
Docket #VGOB 02-0820-1056-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres In Unit	Interest in Unit	Percent of Escrow
			1.569
<u>Tract #2B, 1.23 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	1.23 acres	1.5375%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Paul E. Richardson, et al.	1.23 acres	1.5375%	
(a) Paul Eugene Richardson 8444 S. County Rd. 350W Stilesville, IN 46160	0.41 acres 1/3 of 1.23 acres	0.5125%	26.1313% Court Order
(b) Laudy Richardson Heirs, Devisees, Successors or Assigns			
(b.1) Shelby Ruth Richardson, widow 6169 Turner Dr Clayton, IN 46118	0.41 acres 1/3 of 1.23 acres	0.5125%	26.1313% Court Order
(c) Leonard Richardson Heirs, devisees Successors or Assigns			
(c.1) Loretta Mae Richardson PO Box 1262 Honaker, VA 24260-1262	0.41 acres 1/3 of 1.23 acres	0.5125%	26.1313% Court Order
Prevailing plaintiff under Case No. CL11-321 Awarded 100% of the CBM royalty.			
<u>Tract #4, 16.28 acres</u>			
Owner Previously Escrowed due to being Unlocatable			
<u>COAL OWNERSHIP</u>			
(1) Avis Belle Plaster, et al. (Emily McGlothlin Heirs) (25 Acre Tract - Lot 5)	16.28 acres	20.3500%	
(b) J.P. McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2) C.L. McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2.1) Dorothy Sybil McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2.1.1) Clarence Randall McGlothlin 120 Viewpoint Lane Mooresville, NC 28117-1557	0.339 acres 1/48 of 16.28 acres	0.4240%	
(l) Emily Lorraine Bailes 508 Maple Gap Rd Swords Creek, VA 24649	0.075 acres 1/216 of 16.28 acres	0.0942%	n/a
(u) Donald C. Horton 588 Bottom Rd Raven, VA 24639	0.075 acres 1/216 of 16.28 acres	0.0942%	n/a
(y) Carrie Mullins PO Box 380 Swords Creek, VA 24649	0.339 acres 1/48 of 16.28 acres	0.4240%	n/a
(aa) Rebekah Jane Plaster PO Box 95 Raven, VA 24639	0.113 acres 1/144 of 16.28 acres	0.1413%	n/a
(bb) James R. Vandyke PO Box 398 Glade Spring, VA 24340	0.407 acres 1/40 of 16.28 acres	0.5088%	n/a

Exhibit EE
Unit EE-35
Docket #VGOB 02-0820-1058-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres In Unit	Interest in Unit	Percent of Escrow
			1.569
OIL & GAS OWNERSHIP			
(1) Avis Belle Plaster, et al. (Emily McGlothlin Heirs) (25 Acre Tract - Lot 5)	16.28 acres	20.3500%	
(b) J.P. McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2) C.L. McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2.1) Dorothy Sybil McGlothlin Heirs, Devisees, Successors or Assigns			
(b.2.1.1) Clarence Randall McGlothlin 120 Viewpoint Lane Mooresville, NC 28117-1557	0.339 acres 1/48 of 16.28 acres	0.4240%	21.6167%
(t) Emily Lorraine Bailes 508 Maple Gap Rd Swords Creek, VA 24649	0.075 acres 1/216 of 16.28 acres	0.0942%	n/a
(u) Donald C. Horton 588 Bottom Rd Raven, VA 24639	0.075 acres 1/216 of 16.28 acres	0.0942%	n/a
(y) Carrie Mullins PO Box 360 Swords Creek, VA 24649	0.339 acres 1/48 of 16.28 acres	0.4240%	n/a
(aa) Rebekah Jane Plaster PO Box 95 Raven, VA 24639	0.113 acres 1/144 of 16.28 acres	0.1413%	n/a
(bb) James R. Vandyke PO Box 396 Glade Spring, VA 24340	0.407 acres 1/40 of 16.28 acres	0.5088%	n/a
Total Acres Resolved	11.5759		
Total Percent Resolved		14.4698%	

1600510

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 3-21, 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:37 o'clock P M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: S. Gilmer

TESTE: ANN S. McREYNOLDS, CLERK
BY: Mollie Collier D. CLERK