

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: FF36

TRACT(S): 005A

LOCATION: TAZEWELL, RUSSELL County, Virginia

TAX ID NUMBERS:

Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract
Identification Sheet

DOCKET NUMBER: VGOB-02-0820-1058-01

APPLICANTS:

CNX Gas Company LLC on behalf of CNX Gas Company LLC, Teddy Wayne McGlothlin

HEARING DATE AND LOCATION:

On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted
the Director of the Division of Gas and Oil the authority to process coal owner
dismissal disbursements that have no pending deficiencies or issues. Code of
Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 07/20/2004.
2. Supplemental Order, Recorded on 09/26/2006, Deed Book/Instrument No. 982, Page 540.

NOTICE:

OK 2015 PG 20097

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3915

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 005A identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 005A 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. Teddy Wayne McGlothlin & CNX Gas Company, LLC are the gas claimant in Tracts 5A. As such Teddy Wayne McGlothlin & CNX Gas Company, LLC is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- 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 Teddy Wayne McGlothlin & CNX Gas Company, LLC and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

Unit FF36

Table 1 (pay exact dollar amount based on account balance of)
Tracts: 005A

[illegible]

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Unit FF36

VG08-02-0820-1058-01

Table 2 (pay percentage on balance after deducting the above balance)

Tracts: 005A

[illegible]

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 and 2.
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 4 day of December, 2015 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 4 day of December, 2015 by Order of the Virginia Gas and Oil Board.

Rick Cooper

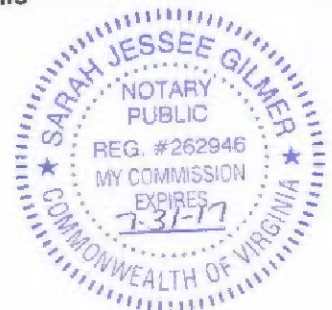
Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 4th day of December, 2015, 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
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 02-0820-1058-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 005A (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES****HEARING DATE:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.**DRILLING UNIT:** FF36**TAZEWELL, 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(s) attributable to of Tract(s) 5A as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Teddy Wayne McGlothlin & 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

- a. Teddy Wayne McGlothlin & CNX Gas Company, LLC are the gas claimant in Tracts 5A. As such Teddy Wayne McGlothlin & CNX Gas Company, LLC is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- 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 Teddy Wayne McGlothlin & CNX Gas Company, LLC 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.

W2015 PG20104

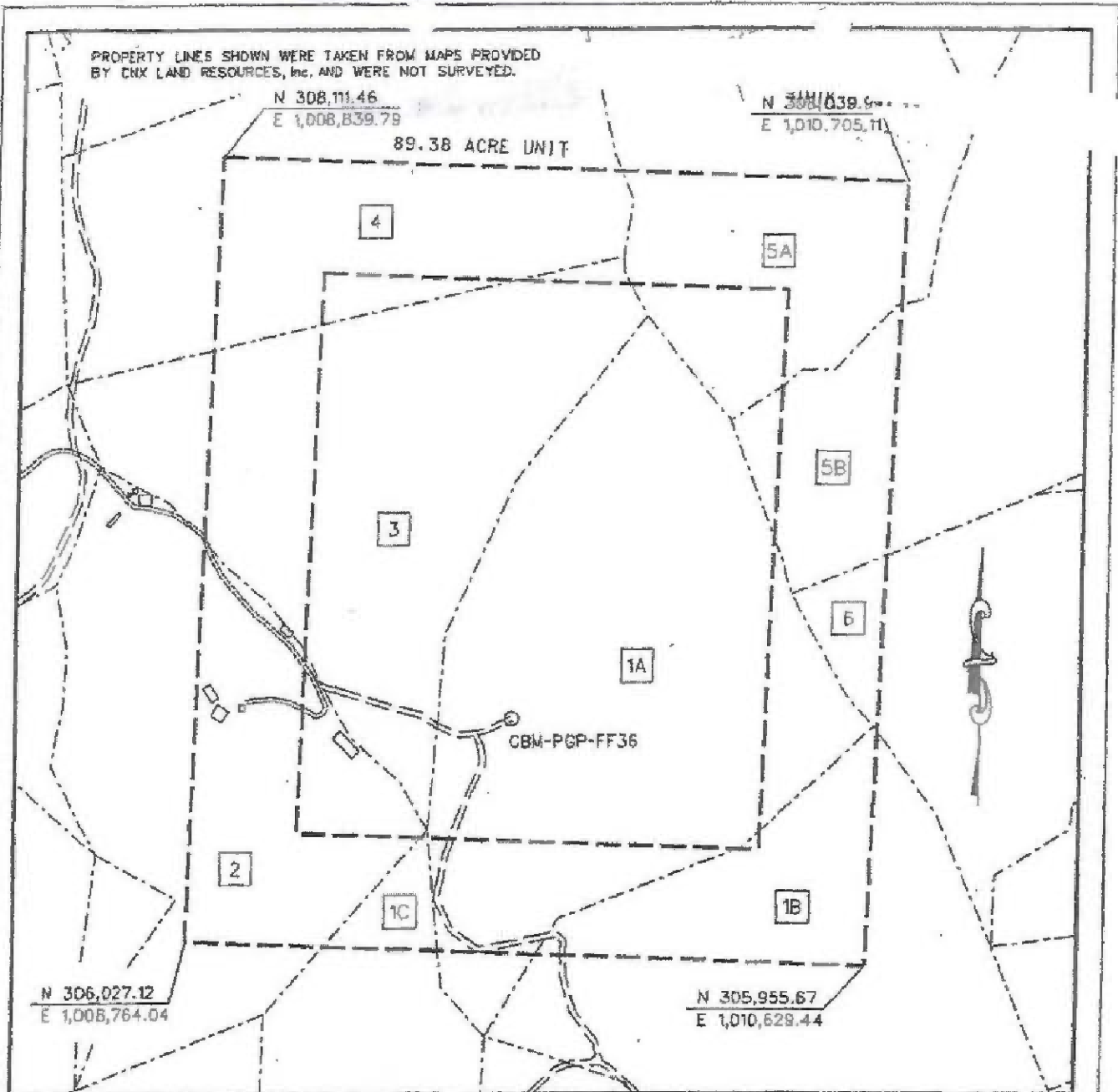


EXHIBIT A
OAKWOOD FIELD UNIT FF-36
FORCE POOLING
VGOB-02-0820-1058

Company Pocahontas Gas Partnership Well Name and Number UNIT FF-36
 Tract No. _____ Elevation _____ Quadrangle KEA06B1000
 County Russell/Tazewell District New Garden/Maiden Springs Scale: = 400' Date 7/7/02
 This plot is a new plot X ; an updated plot _____ ; or a final plot No. 10958
 Form DGD-GO-7 _____ (Affix Seal)
 Rev. 9/91 _____
 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC**UNIT FF-36**

Tract Identifications
(89.38 Acre Unit)

- 1A. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 41 (158.50 Acre Tract) – Fee
Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
(Tax Map 84 Parcel 6)
27.98 acres 31.3045%
- 1B. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 41 (158.50 Acre Tract) – All Minerals
Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Edward S. Miller, et al – Surface
(Tax Map 84 Parcel 7A)
6.12 acres 6.8472%
- 1C. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 41 (158.50 Acre Tract) – All Minerals
Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
William Byrd, et al – Surface
(Tax Map 84 Parcel 7)
1.16 acres 1.2978%
2. William R. McCall, et al (McCall-Horton 59 Acre Tract)– All Minerals
CNX Gas Company LLC – CBM Leased
William H. Byrd, et al – Surface
(Tax Map 84 Parcel 4)
9.88 acres 11.0539%
3. William R. McCall, et al (McCall-Wilson 25 Acre Tract)– All Minerals
CNX Gas Company LLC – CBM Leased
William H. Byrd, et al – Surface
(Tax Map 84 Parcel 106A)
20.25 acres 22.6561%
4. William R. McCall – Fee
CNX Gas Company LLC – CBM Leased
(Tax Map 84 Parcel 2)
9.49 acres 10.6176%

CNX Gas Company LLC

UNIT FF-36

Tract Identifications
(89.38 Acre Unit)

- 5A. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 (185 Acre Tract) – Coal Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
(Tax Map 84 Parcel 5A)
8.42 acres 9.4205%

- 5B. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 (185 Acre Tract) – Coal Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
Reserve Coal Properties Company – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Harold D. McGlothlin, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84 Parcel 4)
4.67 acres 5.2249%

- 6. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 40 (288 Acre Tract) – Coal Reserve Coal Properties Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
(Tax Map 84 Parcel 3)
1.41 acres 1.5775%

EX-2015 PG20107

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Exhibit E
Unit FF-36
Docket #VGOB 02-0820-1058-01
List of Responds requiring escrow
(89.38 Acre Unit)

	Acres in Unit	Interest in Unit
Escrowing not required		

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Exhibit EE
Unit FF-36

Docket #VGOB 02-0820-1058-01

List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(89.38 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #5A, 8.42 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	8.42 acres	9.4205%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) James M. & Audrey G. McGlothlin Heirs, Devisees, Successors or Assigns	Deeded to CNX Gas Company LLC 6/21/2005		
The royalties accumulated until the date deeded to CNX will be paid to the heir of James M. and Audrey McGlothlin listed below:			
(a) Teddy Wayne McGlothlin 36 Maple Gap Road Swords Creek, VA 24649	8.42 acres	9.4205%	100.0000%
(2) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830			HB2058
<u>Tract #5B, 4.67 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	4.67 acres	5.2249%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Letha J. McGlothlin 4495 Road Ridge Turnpike Raven, VA 24639	4.67 acres	5.2249%	n/a
<u>Tract #6, 1.41 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	1.41 acres	1.5775%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 (Previously Nena J. Gonet, Sold to CNX 7/19/2004)	1.41 acres	1.5775%	n/a

INSTRUMENT #150003915
RECORDED IN THE CLERK'S OFFICE OF
RUSSELL COUNTY ON
DECEMBER 30, 2015 AT 11:31AM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT

1502536

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 12-28, 2015. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:30 o'clock P. M, after payment of \$ — tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Sarah GilmerBY: Ann S. McReynolds CLERK

10/1/2015