

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: CC31

TRACT(S): 1F

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-03-0415-1141-02

APPLICANTS:

CNX Gas Company LLC on behalf of Lida J Holzgrefe

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 05/12/2003, Recorded on 05/29/2003, Deed Book/Instrument No. 570, Page 749.
2. Supplemental Order Executed 02/04/2004, Recorded on 02/10/2004, Deed Book/Instrument No. 586, Page 339.
3. Disbursement Order -01 Executed 04/13/2016, Recorded on 05/03/2016, Deed Book/Instrument No. 160000769.

NOTICE:

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

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1F 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. Lida Jane Holzgreffe is the gas claimant in Tracts 1F. As such Lida Jane Holzgreffe are 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 Lida Jane Holzgreffe and not escrow same. See Exhibit EE annexed hereto

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RELIEF GRANTED:

VGOB Disbursement

Unit CC31

VGOB-03-0415-1141-02

Table 1

Tracts: 1F

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
			In Tract	In Tract	Agreement	Disbursed	Disbursed	
		Total acreage in escrow before disbursement				1.15000		
		1F Tract 1F (total acreage)	1.1500					
1	1F	Lida J Holzgreffe\13765 Seabiscuit Dr Reno NV 89521-8349		1.1500	100.00%	1.1500	100.0000%	

Adjustment Comments:

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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.

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DONE AND EXECUTED this 21 day of July, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

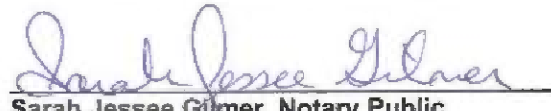
DONE AND PERFORMED this 21 day of July, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 21st day of July, 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 03-0415-1141-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1F (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: 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: CC31

BUCHANAN 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 1F, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Lida Jane Holzgreffe; (3) Dismissal of Coal Owner: Coal Mountain Mining Company

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. Lida Jane Holzgreffe is the gas claimant in Tracts 1F. As such Lida Jane Holzgreffe are 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 Lida Jane Holzgreffe 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.

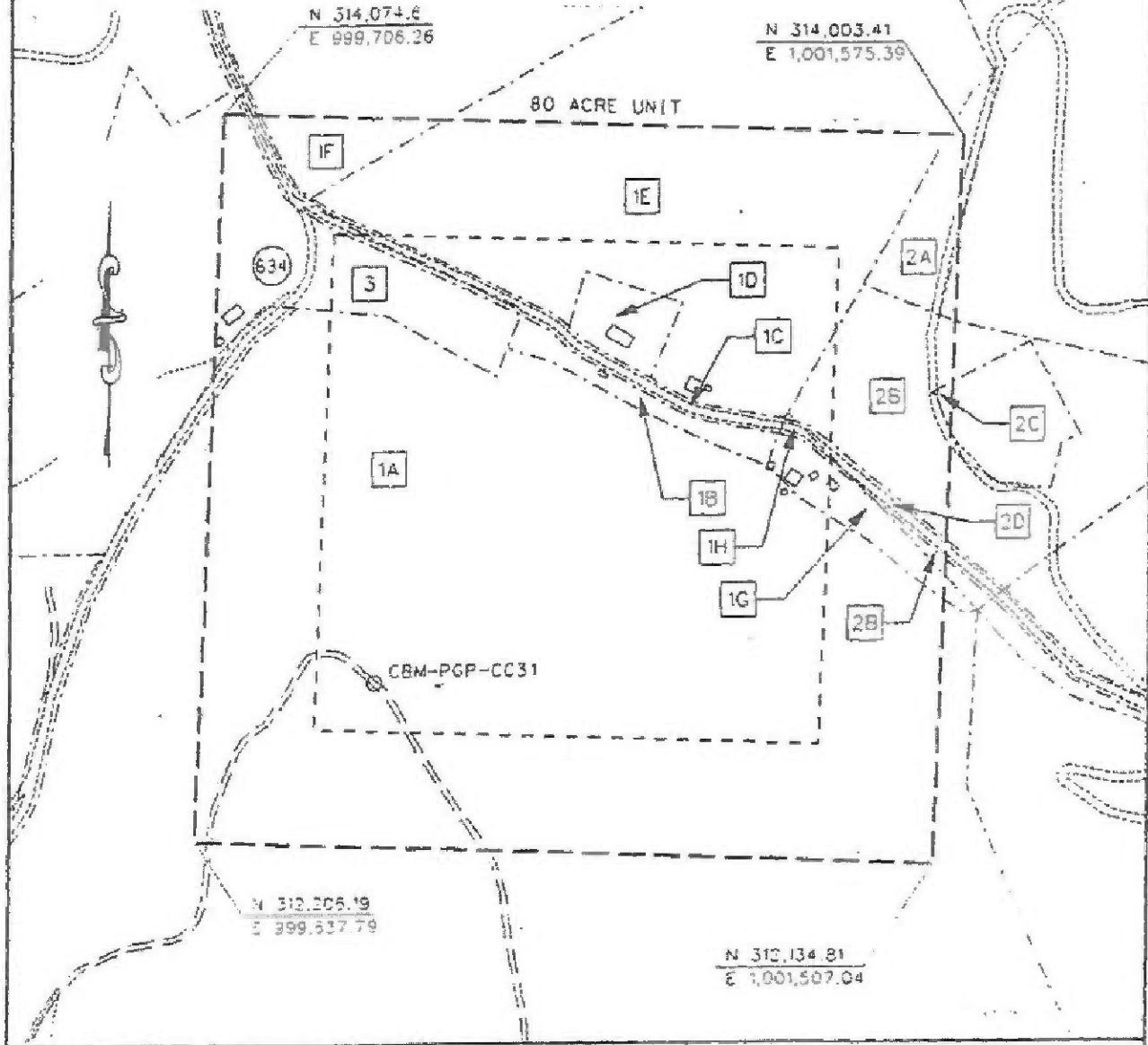


EXHIBIT A
OAKWOOD FIELD UNIT CC-31
FORCE POOLING
VGOB-03-0415-1141

Company Poconos Gas Partnership Well Name and Number UNIT CC31
Tract No. Elevation Quadrangle Keen Mountain
County Buchanan District Garden Scale: 1" = 400' Date 3/12/23
This plot is a new plot X ; on an updated plot ; or a final plot

Form UOB-60-7
Rev. 9/91

Charles E. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP

UNIT CC-31

Tract Identifications

- 1A. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - Surface and All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
48.92 acres 61.1500%
- 1B. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Amos Short - Surface and All Minerals
0.93 acres 1.1625%
- 1C. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
Commonwealth of Virginia - Surface
0.96 acres 1.2000%
- 1D. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
Unknown Surface Owner
1.04 acres 1.3000%
- 1E. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
Amos Short - Surface
15.20 acres 19.0000%

POCAHONTAS GAS PARTNERSHIP

UNIT CC-31

Tract Identifications

- 1F. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Lida J. Holzgreffe - Surface and All Minerals except Coal
1.15 acres 1.4375%
- 1G. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
Consolidation Coal Company - Surface
1.15 acres 1.4375%
- 1H. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
New Garden Coal Corp. - All Minerals except Coal
Pocahontas Gas Partnership - Oil Gas and CBM Leased
Commonwealth of Virginia - Surface
0.10 acres 0.1250%
2. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 29 - All Minerals
Consolidation Coal Company - Below Drainage Coal Leased
New Garden Coal Corp. - Above Drainage Coal Leased
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
5.60 acres 7.0000%
- 2A. Consolidation Coal Company - Surface
2B. Consolidation Coal Company - Surface
2C. Unknown Surface Owner
2D. Commonwealth of Virginia - Surface
3. Mae Wells, et al - Fee
4.95 acres 6.1875%

Exhibit E
Unit CC-31
Docket #VGOB 03-0415-1141-02
List of Respondents that require escrow

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Net Acres
In Unit

Interest In
Unit

Escrowing no longer required

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A - 48.92 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	48.92 acres	61.1500%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24651	48.92 acres	61.1500%	n/a
<u>Tract #1B - 0.93 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.93 acres	1.1625%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Amos (Mont) Short Heirs (0.50 acres)	0.93 acres	1.1625%	n/a
(1.1) Bessie Marie Short Heirs, Devisees, Successors or Assigns			
(1.1.1) Larry Amos Shortt P.O. Box 232 Castlewood, VA 24224	0.23 acres 1/4 of 0.93 acres	0.2906%	n/a
(1.1.2) Carol S. Benge 228 Royal Drive Kingsport, TN 37663	0.23 acres 1/4 of 0.93 acres	0.2906%	n/a
(1.1.3) Judy Ann Rife 3144 Old Kentucky Turnpike Road Raven, VA 24639	0.23 acres 1/4 of 0.93 acres	0.2906%	n/a
(1.1.4) Gary Lee Shortt 1609 Cypress Circle Hoover, AL 35244	0.23 acres 1/4 of 0.93 acres	0.2906%	n/a
	Acres Percent	0.93 1.1625%	
<u>Tract #1C - 0.96 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.96 acres	1.2000%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24651	0.96 acres	1.2000%	n/a

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1D - 1.04 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	1.04 acres	1.3000%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24661	1.04 acres	1.3000%	n/a
<u>Tract #1E - 15.20 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	15.20 acres	19.0000%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24661	15.20 acres	19.0000%	n/a
<u>Tract #1F - 1.15 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	1.15 acres	1.4375%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Lida J. Holzgrefe 13765 Seabiscuit Drive Reno, NV 89521-8349	1.15 acres	1.4375%	100.0000% HB2058
<u>Tract #1G - 1.15 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	1.15 acres	1.4375%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24661	1.15 acres	1.4375%	n/a
<u>Tract #1H - 0.10 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24661	0.10 acres	0.1260%	n/a

Exhibit EE
Unit CC-31
Docket #VGOB 03-0415-1141-02
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

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	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24651	0.10 acres	0.1250%	n/a
	TOTAL Acres	69.45	
	TOTAL Percent	86.8125%	

INSTRUMENT #160001380
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 3, 2016 AT 11:08AM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB