

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: BA100

TRACT(S): 1E, 999

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-03-0916-1189-03

APPLICANTS:

CNX Gas Company LLC on behalf of CNX Gas Company LLC, Shirley J. Hess

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
September 15, 2015

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 01/20/2004, Recorded on 01/22/2004, Deed Book/Instrument No. 585, Page 125.
2. Supplemental Order Executed 03/11/2005, Recorded on 03/14/2005, Deed Book/Instrument No. 614, Page 195.
3. Disbursement Order -01, Recorded on 09/28/2009, Deed Book/Instrument No. 090002908.
4. Disbursement Order -02 Executed 05/04/2015, Recorded on 05/18/2015, Deed Book/Instrument No. 150000805.

NOTICE:

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The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the September 15, 2015 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) 1E, 999 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1E, 999 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:

The escrow account has been overpaid. Shirley J. Hess (aka Shirley H. Hess) is entitled to 100% of the CBM royalties per House Bill 2058. Said bill 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. There are no remaining conflicts after the disbursement, escrow is no longer required and account is to be closed after disbursement.

RELIEF GRANTED:

VGOB Disbursement
Unit BA100

VGOB-03-0916-1189-03

Table 1 (pay exact dollar amount based on account balance of)

Tracts: 1E, 999

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed	Disbursement
		Total acreage in escrow before disbursement				1.00000		
999 Tract 999 (total acreage)			1.00					
1	999	CNX Gas Company LLC\PO Box 643830, Pittsburgh, PA 15264-3830		1.0000	100.00%	1.0000	100.0000 %	\$39,463.21

VGOB Disbursement
Unit BA100

VGOB-03-0916-1189-03

Table 2 (pay percentage on balance after deducting the above balance)
Tracts: 1E, 999

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds
			In Tract	In Tract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				18.93000	
		1E Tract 1E (total acreage)	18.93	18.9300	100.00%	18.9300	100.0000%
1	1E	Shirley J. Hess\71 Ash Street, Honaker, VA 24260					

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.

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DONE AND EXECUTED this 18 day of September, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

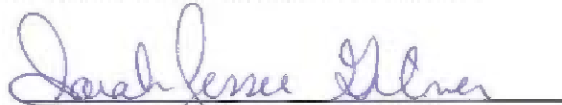
DONE AND PERFORMED this 18 day of September, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 18th day of September 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, 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 03-0916-1189-03**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1E, 999 (2) AND
AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES****HEARING DATE:** September 15, 2015**DRILLING UNIT:** BA100**BUCHANAN 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) Reimbursement of funds incorrectly deposited in unit BA100 to CNX Gas Company LLC. (2) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tract 1E as depicted upon the annexed table; and (3) authorization to begin paying royalties directly to the parties per House Bill 2058; Shirley J. Hess (aka Shirley H. Hess). Unit BA100.

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

The escrow account has been overpaid. Shirley J. Hess (aka Shirley H. Hess) is entitled to 100% of the CBM royalties per House Bill 2058, Said bill 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.

There are no remaining conflicts after the disbursement, escrow is no longer required and account is to be closed after disbursement.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

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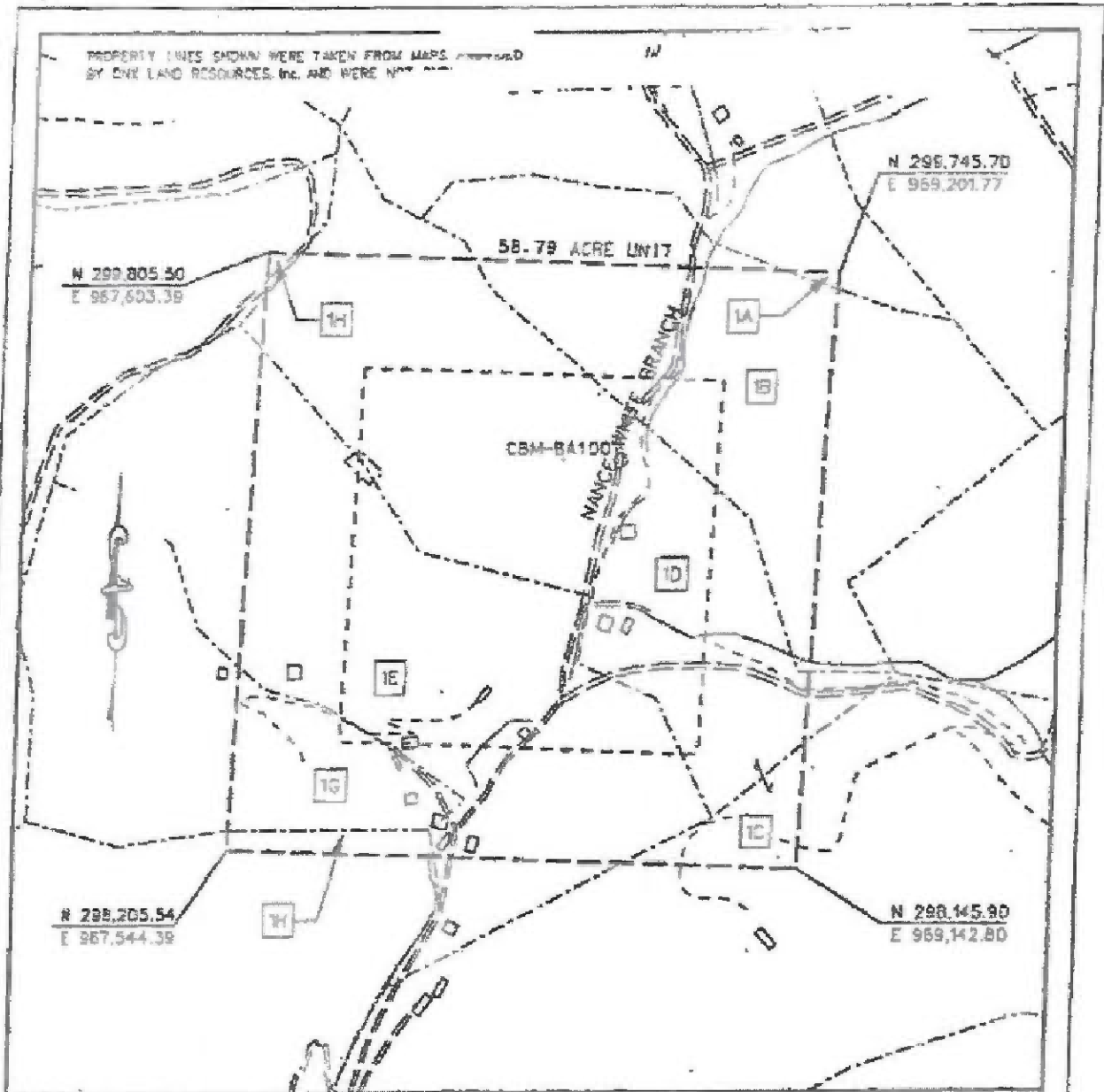
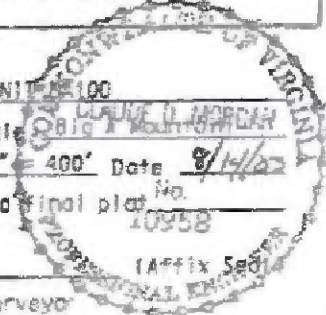


EXHIBIT A
NORA FIELD UNIT BA-100
FORCE POOLING
VGOB-03-0916-1189

Company CNX Gas Company LLC Well Name and Number UNIT BA-100
Treat No. _____ Elevation _____ Quadrangle Q819 T Mount Jordan
County Buchanan District Hurricane Scale: 1" = 400' Date 8/14/02
This plot is a new plot X : an updated plot _____ : or a final plot No. 10958

Form DGS-60-7
Rev. 9/91

Charles D. May
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT BA-100
 Tract Identifications
 (58.78 Acre Unit)

- 1A. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC - CBM Leased
 Kenneth E. Harris - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.07 acres 0.1190%
- 1B. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC - CBM Leased
 Ross Sanders Heirs - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 10.58 acres 17.9953%
- 1C. Harrison-Wyatt, LLC. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Ruth Harris - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 1.71 acres 2.9087%
- 1D. Harrison-Wyatt, LLC. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Ruth Harris - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 22.45 acres 30.1868%
- 1E. Harrison-Wyatt, LLC. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Shirley H. Hess, et vlr - Surface and All Minerals except Coal
 18.93 acres 32.1994%
- 1F. Harrison-Wyatt, LLC. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Lowey R. Childress, et ux - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.85 acres 1.4458%
- 1G. Harrison-Wyatt, LLC. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Jimmy Harris - Surface and All Minerals except Coal
 Equitable Resources Exploration - Oil and Gas Leased
 4.08 acres 6.9400%

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CNX Gas Company LLC

UNIT BA-100

**Tract Identifications
(58.79 Acre Unit)**

TH. Harrison-Wyatt, L.L.C. (Big Axe Tr. 4) - Coal
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Dallas James, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
9.12 acres 0.2040%

Exhibit E
Unit BA-100
Docket #VGOB 03-0916-1189-03
List of Respondents in escrow
(58.79 Acre Unit)

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	Acres in Unit	Percent of Unit
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Escrowing not required

Exhibit EE
Unit BA-100

Docket #VGOB 03-0916-1189-03

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

	Acre in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1A - 0.07 acres</u>			
COAL OWNERSHIP			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.07 acres	0.1191%	n/a
OIL & GAS OWNERSHIP			
(1) Kenneth E. Harris 2775 Bandy Road Cedar Bluff, VA 24609	0.07 acres	0.1191%	n/a
<u>Tract #1B - 10.58 acres</u>			
COAL OWNERSHIP			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	10.58 acres	17.9963%	n/a
OIL & GAS OWNERSHIP			
(1) Rosa Sanders Heirs, Devises, Successors or Assigns	10.58 acres	17.9963%	
(a) Foster E. Ball Heirs, Devises, Successors or Assigns			
(a.1) Judy Faye Ball 54 Lumber Lane Honaker, VA 24260	2.12 1/5 of 3.50 acres	3.5993%	n/a
(b) Sarah Jane Cook 1265 Dixie Lane Honaker, VA 24260	2.12 1/5 of 3.50 acres	3.5993%	n/a
(c) Betty Marsh 425 Manhattan Drive Orlando, FL 32839	2.12 1/5 of 3.50 acres	3.5993%	n/a
(d) Chester A. McGlothlin 4613 Old Grissom Creek Road Honaker, VA 24260	2.12 1/5 of 3.50 acres	3.5993%	n/a
(e) Margaret Bowles Heirs, Devises, Successors or Assigns			
(e.1) Karen Sampson 629 C 4th Ave., Apt. C Marlinton, WV 24954	0.71 1/15 of 3.50 acres	1.1998%	n/a
(e.2) Dianna L. Boothe 2205 Blue Fish Place Geneva, FL 32732	0.71 1/15 of 3.50 acres	1.1998%	n/a
(e.3) Herbert Sampson 5885 Dahlia Dr. Apt 102 Orlando, FL 32807-3258	0.71 1/15 of 3.50 acres	1.1998%	n/a
<u>Tract #1C - 1.71 acres</u>			
COAL OWNERSHIP			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	1.71 acres	2.9087%	n/a

Exhibit EE
Unit BA-100

Docket #VGOB 03-0916-1189-03

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

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Ruth Harris Heirs, Devisees, Successors or Assigns (a.k.a. Elizabeth McGlothlin Heirs)	1.71 acres	2.9087%	
(1.0) Ruben Harris Heirs, Devisees, Successors or Assigns			
(2.0) Myrtle Ruth Harris Heirs, Devisees, Successors or Assigns			
(2.1) Elizabeth McGlothlin Heirs, Devisees, Successors or Assigns			
(2.1.1) Dallas McGlothlin	Conveyed 4/16/2012 to Roger and Melissa Baldwin (Instrument # 120006)		
(2.1.1.1) Roger Baldwin P.O. Box 1146 Honaker, VA 24260	0.86 acres 1/2 of 1.71 acres	1.4543%	n/a
(2.1.1.2) Melissa Maxfield PO Box 1265 Honaker, VA 24260	0.86 acres 1/2 of 1.71 acres	1.4543%	n/a

Tract #1D - 22.45 acres**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	22.45 acres	38.1868%	n/a
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OIL & GAS OWNERSHIP

(1) Ruth Harris Heirs, Devisees, Successors or Assigns (a.k.a. Elizabeth McGlothlin Heirs)	22.45 acres	38.1868%	
(1.0) Ruben Harris Heirs, Devisees, Successors or Assigns			
(2.0) Myrtle Ruth Harris Heirs, Devisees, Successors or Assigns			
(2.1) Elizabeth McGlothlin Heirs, Devisees, Successors or Assigns			
(2.1.1) Dallas McGlothlin	Conveyed 4/16/2012 to Roger and Melissa Baldwin (Instrument # 120006)		
(2.1.1.1) Roger Baldwin P.O. Box 1146 Honaker, VA 24260	11.23 acres 1/2 of 22.45 acres	19.0934%	n/a
(2.1.1.2) Melissa Maxfield PO Box 1265 Honaker, VA 24260	11.23 acres 1/2 of 22.45 acres	19.0934%	n/a

Tract #1F - 0.85 acres**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.85 acres	1.4458%	n/a
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OIL & GAS OWNERSHIP

(1) Lowery R. Childress, et ux. 2371 Nance White Branch Road Honaker, VA 24260	0.85 acres	1.4458%	n/a
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Royalties paid to:

Lowery R. Childress, et ux. 2371 Nance White Branch Road	0.43 acres 1/2 of 0.85 acres	0.7229%	n/a
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Exhibit EE
Unit BA-100

Docket #VGOB 03-0916-1189-03

List of Respondents with Royalty Split Agreements / Court Orders / HB2058

(58.79 Acre Unit)

	Acres in Unit	Percent of Unit	Percent of Escrow
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Honaker, VA 24260

Exhibit EE
Unit BA-100
Docket #VGOB 03-0916-1189-03
List of Respondents with Royalty Split Agreements / Court Orders / HB2058
(58.79 Acre Unit)

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	Acre In Unit	Percent of Unit	Percent of Escrow
Velma A. Childress PO Box 2864 Lebanon, VA 24266	0.43 acres 1/2 of 0.85 acres	0.7229%	n/a

Tract #1E - 18.93 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	18.93 acres	32.1894%	n/a
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OIL & GAS OWNERSHIP

(1) Shirley J. Hess (aka Shirley H. Hess) 71 Ash St. Honaker, VA 24260	18.93 acres	32.1994%	100.0000% HB2058
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Tract #1G - 4.08 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	4.08 acres	6.9400%	n/a
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OIL & GAS OWNERSHIP

(i) Jimmy Harris 1700 Township Road 11 Brinkhaven, OH 43006	4.08 acres	6.9400%	n/a
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*Prevailing plaintiff under Case No. 335-11
Awarded 100% of the CBM royalty.*

Tract #1H - 0.12 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.12 acres	0.2041%	n/a
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OIL & GAS OWNERSHIP

(1) Dallis & Carol James 4565 Old Grissom Creek Road Honaker, VA 24260	0.12 acres	0.2041%	n/a
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Total Acreage Resolved	58.7900		
Total Percentage Resolved		100.0000%	

INSTRUMENT #150001574
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
SEPTEMBER 28, 2015 AT 03:40PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB