

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: BC119

TRACT(S): 1B, 1D

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-03-1118-1229-01

APPLICANTS:

CNX Gas Company LLC on behalf of Charlie & Rita Powell, HC Bostic Coal Company

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 03/22/2004, Recorded on 04/02/2004, Deed Book/Instrument No. 605, Page 680.
2. Supplemental Order, Recorded on 03/14/2005, Deed Book/Instrument No. 627, Page 320.

NOTICE:

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

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1B, 1D relative to the interests of the Applicants identified in the attached petition.

(3) Continue 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. Charlie & Rita Powell and HC Bostic Coal Company is the gas claimant in Tracts 1B & 1D . As such Charlie & Rita Powell and HC Bostic Coal Company 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 Charlie & Rita Powell and HC Bostic Coal Company and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

DONE AND EXECUTED this 7 day of March, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

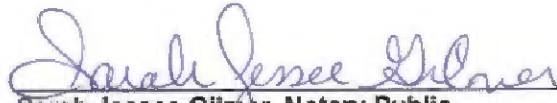
DONE AND PERFORMED this 7 day of March, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th 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 03-1118-1229-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1B, 1D (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:** BC119**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) 1B & 1D as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Charlie & Rita Powell and HC Bostic Coal 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. Charlie & Rita Powell and HC Bostic Coal Company is the gas claimant in Tracts 1B & 1D . As such Charlie & Rita Powell and HC Bostic Coal Company 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 Charlie & Rita Powell and HC Bostic Coal Company 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.

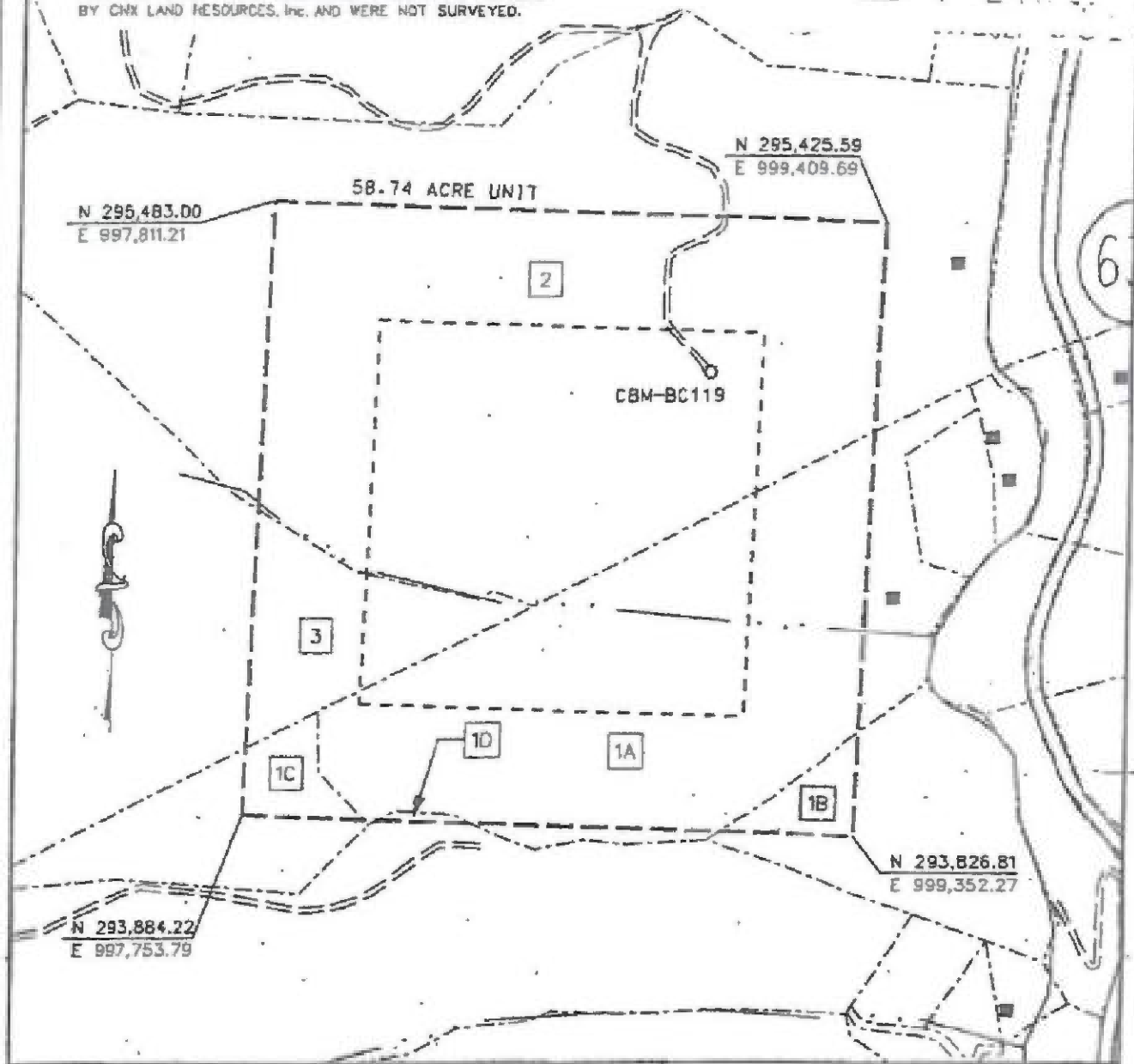


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BC-119
FORCE POOLING
VGDB-03-1118-1229

Company CNX Gas Company LLC Well Name and Number UNIT BC-119

Tract No. _____ Elevation _____ Quadrangle Wander

County Russell District New Garden Scale: 1" = 400' & 1/2" = 800'

This plot is a new plot X : an updated plot _____ : or final plot _____

Form DGD-GO-7
Rev. 9/91

Charles A. May
Licensed Professional Engineer or Licensed Land Surveyor

No. 10958 Seal

CNX Gas Company LLC**Unit - BC-119****Tract Identifications
(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 James Plaster Heirs, Successors or Assigns - Surface and All Minerals except Coal
 20.07 acres 34.1675%
- 1B. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Charlie Powell, et ux. - Surface and All Minerals except Coal
 CNX Gas Company, LLC - Oil, Gas and CBM Leased
 1.03 acres 1.7535%
- 1C. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 E. P. Whited Heirs, Successors or Assigns - All Minerals except Coal
 CNX Gas Company, LLC - Oil, Gas and CBM Leased (99.24%)
 Thomas Dean Keen, et al. - Surface
 1.21 acres 2.0599%
- 1D. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 H.C. Bostic Coal Company, Inc. - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.10 acres 0.1702%
2. Swords Creek Land Partnership Tr. 57 OR A. Wayne Bostic, et al. (1/2) and Creola
 Blake Heirs, Successors or Assigns (1/2) OR A. Wayne Bostic, et al. (7/16), Creola
 Blake Heirs, Successors or Assigns (7/16), and Swords Creek Land Partnership Tr
 57 (1/8) - Fee
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased (100% Leased
 If Owned by Swords Creek Land Partnership)
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased (100% leased if Bostic
 and/or Swords Creek are the only owners. Blake Heirs interest is not leased.)
 31.64 acres 53.8645%

CNX Gas Company LLC

Unit - BC-119

Tract Identifications

(58.74 Acre Unit)

3. E. P. Whited Heirs, Successors or Assigns - All Minerals except Red Ash Coal Seam)
Swords Creek Land Partnership Tr. 53 - Coal In Red Ash Seam
Knox Creek Coal Corporation - Tiller and Above Coal Leased (73%)
CNX Gas Company, LLC - Oil, Gas and CBM Leased (99.24%)
Thomas Dean Keen, et al. - Surface
4.69 acres 7.9844%

Exhibit E
Unit BC-119
Docket #VGOB 03-1118-1229-01
List of Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 0799 PAGE 795

	Acres In Unit	Interest in Unit
<u>Tract #1A, 20.07 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	20.07 acres	34.1675%
<u>OIL & GAS OWNERSHIP</u>		
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title.</i>		
(1) James Plaster Heirs, Devisees, Successors or Assigns c/o Harvey Plaster RR2 Box 170 Honaker, VA 24260	20.07 acres	34.1675%
<u>Tract #1C, 1.21 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.21 acres	2.0599%
<u>OIL & GAS OWNERSHIP</u>		
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title.</i>		
(1) E. P. Whited Heirs, Devisees, Successors or Assigns	1.21 acres	2.0599%
(a) Betty W. Cole 511 Island Road Bristol, VA 24201	0.020 acres 1.6500% of 1.21 acres	0.0340%
(b) Vivian Dawson 2907 Greenlawn Drive Seven Hills, OH 44134	0.060 acres 4.9600% of 1.21 acres	0.1022%
(c) Corine W. Dye Rt.2 Box 155 Honaker, VA 24649	0.240 acres 19.8000% of 1.21 acres	0.4079%
(d) Sharon L. Hubbard P.O. Box 164 Swords Creek, VA 24649	0.001 acres 0.0990% of 1.21 acres	0.0020%
(e) Loretta Jones RL1 Box 548 Swords Creek, VA 24649	0.060 acres 4.9600% of 1.21 acres	0.1022%
(f) Jana Carolyn McCann 979 Warrenville Road Mansfield, CT 06250	0.080 acres 6.6100% of 1.21 acres	0.1362%
(g) Stevie Frederick MuNulty Rt.2 Box 229 Honaker, VA 24649	0.080 acres 6.6100% of 1.21 acres	0.1362%

Exhibit E
Unit BC-119
Docket #VGOB 03-1118-1229-01
List of Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(h) Lora L. Messer 2649 Bowman Street Mansfield, OH 44803	0.001 acres 0.0990% of 1.21 acres	0.0020%
(i) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	0.020 acres 1.6500% of 1.21 acres	0.0340%
(j) Carol A. (Dye) Musick Rt.1 Box 193 Swords Creek, VA 24649	0.001 acres 0.0990% of 1.21 acres	0.0020%
(k) Donna Plaster 105 Shannon Heights Richlands, VA 24641	0.020 acres 1.6500% of 1.21 acres	0.0340%
(m) Janis K. Ray 1097 River Drive Mansfield, OH 44906	0.001 acres 0.0990% of 1.21 acres	0.0020%
(n) Larry G. Sigmon 1736 Dick Pond Rd Unit B Myrtle Beach, SC 29575	0.001 acres 0.0990% of 1.21 acres	0.0020%
(o) Leslie G. Sigmon 2089 Beach Drive Akron, OH 44312	0.001 acres 0.0990% of 1.21 acres	0.0020%
(p) Ricky D. Sigmon P.O. Box 152 Mavisdale, VA 24627	0.001 acres 0.0990% of 1.21 acres	0.0020%
(q) Julius Steele Heirs, Devisees, Successors or Assigns		
(q.1) Rita L. Powell 2671 Lynn Springs Road Swords Creek, VA 24649	0.020 acres 1.6533% of 1.21 acres	0.0341%
(q.2) Angela K. Roberts 361 Pond Street Pounding Mill, VA 24637	0.020 acres 1.6533% of 1.21 acres	0.0341%
(q.3) Lolita Lockhart 2459 Lynn Springs Road Swords Creek, VA 24649	0.020 acres 1.6533% of 1.21 acres	0.0341%
(r) Melba S. Stephens Box 49 Vansant, VA 24656	0.060 acres 4.9600% of 1.21 acres	0.1022%
(s) Brenda Joyce Strouth 175 Shaker Road Enfield, CT 06082	0.080 acres 6.6100% of 1.21 acres	0.1362%
(t) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	0.020 acres 1.6500% of 1.21 acres	0.0340%
(u) David A. Whited Heirs, Devisees, Successors or Assigns		
(u.1) Alita Whited PO Box 215 Richlands, VA 24641	0.020 acres 1.6500% of 1.21 acres	0.0340%

Exhibit E
Unit BC-118
Docket #VGOB 03-1118-1229-01
List of Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(v) Esta M. Whited Heirs, Devisees, Successors or Assigns		
(v.1) Sheila D. Whited 1563 Massillon Road Akron, OH 44312	0.120 acres 9.9200% of 1.21 acres	0.2043%
(v.2) Linda Whited Burnett 14506 County Road 112 Centerville, TX 75833	0.120 acres 9.9200% of 1.21 acres	0.2043%
(v) J.B. Whited Heirs, Devisees, Successors or Assigns c/o Geneva Chervenik 2942 Silver Lake Village Stow, OH 44224	0.001 acres 0.0794% of 1.21 acres	0.0016%
(x) James P. Whited Heirs, Devisees, Successors or Assigns		
(x.1) Helen M. Whited 2830 E. Sprague St. Winston Salem, NC 27107	0.020 acres 1.6500% of 1.21 acres	0.0340%
(y) Pearl Whited Heirs, Devisees, Successors or Assigns		
(y.1) Dorothy Keene 2774 Wardell Road Pounding Mill, VA 24637	0.080 acres 6.6100% of 1.21 acres	0.1362%
(z) Randall G. Whited Heirs, Devisees, Successors or Assigns		
(z.1) Lilly K. Whited 184 Calcasieu Drive Parkton, NC 38271	0.020 acres 1.6500% of 1.21 acres	0.0340%
(aa) Rebecca L. Wilson 3757 Swetzer St. NW Uniontown, OK 44885	0.001 acres 0.0990% of 1.21 acres	0.0020%
Total Acreage in Tract		1.1899
Total Percentage in Tract		2.0258%

Tract #2, 31.64 acres

Escrow Due to Title Conflict

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.57 P.O. Box 187 Tazewell, VA 24651	31.64 acres	53.8645%
(OR)		
(1) A. Wayne Bostic, et al.	15.820 acres 1/2 of 31.64 acres	26.9322%
(a) A. Wayne & Rita C. Bostic P.O. Box 1 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%

Exhibit E
Unit BC-119
Docket #VGOB 03-1118-1229-01
List of Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) Robin Jones P.O. Box 220 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%
(c) Jeffery Bostic P.O. Box 220 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%
(2) Creola Blake Heirs, Devisees, Successors or Assigns <i>Addresses Unknown</i>	15.820 acres 1/2 of 31.64 acres	26.9322%
(OR)		
(1) A. Wayne Bostic, et al.	13.843 acres 7/16 of 31.64 acres	23.5857%
(a) A. Wayne & Rita C. Bostic P.O. Box 1 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(b) Robin Jones P.O. Box 220 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(c) Jeffery Bostic P.O. Box 220 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(2) Creola Blake Heirs, Devisees, Successors or Assigns <i>Addresses Unknown</i>	13.843 acres 7/16 of 31.64 acres	23.5857%
(3) Swords Creek Land Partnership, Tr.57 P.O. Box 187 Tazewell, VA 24651	3.955 acres 1/8 of 31.64 acres	6.7331%
<u>OIL & GAS OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.57 P.O. Box 187 Tazewell, VA 24651	31.64 acres	53.8645%
(OR)		
(1) A. Wayne Bostic, et al.	15.820 acres 1/2 of 31.64 acres	26.9322%
(a) A. Wayne & Rita C. Bostic P.O. Box 1 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%
(b) Robin Jones P.O. Box 220 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%
(c) Jeffery Bostic P.O. Box 220 Swords Creek, VA 24649	5.273 acres 1/3 of 15.820 acres	8.9774%

Exhibit E
Unit BC-119
Docket #VGOB 03-1118-1229-01
List of Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(2) Creola Blake Heirs, Devises, Successors or Assigns <i>Addresses Unknown</i>	15.820 acres 1/2 of 31.64 acres	26.9322%
(OR)		
(1) A. Wayne Bostic, et al.	13.843 acres 7/16 of 31.64 acres	23.5657%
(a) A. Wayne & Rita C. Bostic P.O. Box 1 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(b) Robin Jones P.O. Box 220 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(c) Jeffery Bostic P.O. Box 220 Swords Creek, VA 24649	4.614 acres 1/3 of 13.843 acres	7.8552%
(2) Creola Blake Heirs, Devises, Successors or Assigns <i>Addresses Unknown</i>	13.843 acres 7/16 of 31.64 acres	23.5657%
(3) Swords Creek Land Partnership, Tr.57 P.O. Box 187 Tazewell, VA 24651	3.955 acres 1/8 of 31.64 acres	6.7331%
Total Acreage in Tract		31.6400
Total Percentage in Tract		53.8645%
<u>TOTALS:</u>		
Total Acreage in Unit		32.8299
Total Percentage in Unit		55.8902%

Exhibit EE
Unit BC-119

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Docket #VGOB 03-1118-1229-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #1B, 1.03 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.13
P.O. Box 187
Tazewell, VA 24651

1.03 acres

1.7535%

n/a

OIL & GAS OWNERSHIP

- (1) Charlie & Rita Powell, T/E
2871 Lynn Springs Road
Swords Creek, VA 24649

1.03 acres

1.7535%

1.9056%
HB2058

Tract #1C, 1.21 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.13
P.O. Box 187
Tazewell, VA 24651

1.21 acres

2.0599%

n/a

OIL & GAS OWNERSHIP

- (1) E. P. Whitel Heirs, Devisees,
Successors or Assigns

1.21 acres

2.0599%

- (i) Anita W. Ray
505 Brighton Way
Castleberry, FL 32707

0.020 acres
1.6500% of 1.21 acres

0.0340%

n/a

Tract #1D, 0.10 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.13
P.O. Box 187
Tazewell, VA 24651

0.10 acres

0.1702%

n/a

OIL & GAS OWNERSHIP

- (1) H.C. Bostic Coal Co., Inc.
P.O. Box 220
Swords Creek, VA 24649

0.10 acres

0.1702%

0.1850%
HB2058

TOTAL CONFLICTS RESOLVED:

Acreage in Unit	1.1500	
Percentage of Unit		1.9577%

1600198

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 1:20 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 Gilmer

BY: Ann S. McReynolds CLERK