

**VIRGINIA LAND RECORD COVER SHEET  
FORM A - COVER SHEET CONTENT**

BOOK 0828 PAGE 0022

Instrument Date: 10/12/2017  
Instrument Type: ODU  
Number of Parcels: 0 Number of Pages: 15  
 City  County

RUSSELL

TAX EXEMPT? VIRGINIA/FEDERAL LAW  
 Grantor: VIRGINIA GAS & OIL BOARD  
 Grantee: CNX GAS COMPANY, LLC  
Consideration: \$0.00  
Existing Debt: \$0.00  
Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):  
Original Principal: \$0.00  
Fair Market Value Increase: \$0.00

(Area Above Reserved For Deed Stamp Only)

Original Book Number: 824 Original Page Number: 268 Original Instrument Number:

Prior Recording At:  City  County

Percentage In This Jurisdiction:

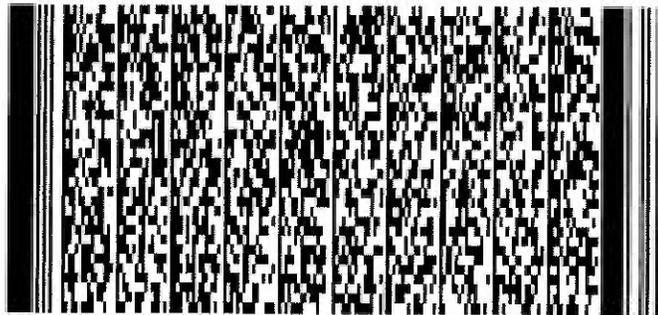
- BUSINESS / NAME
- 1  Grantor: VIRGINIA GAS & OIL BOARD  
 Grantor:
  - 1  Grantee: CNX GAS COMPANY, LLC
  - 2  Grantee: CARELLO, ELLEN

GRANTEE ADDRESS

Name: CNX GAS COMPANY, LLC  
Address: 1000 CONSOL ENERGY DRIVE  
City: CANNONBURG State: PA Zip Code: 15317-6506  
Book Number: Page Number: Instrument Number:  
Parcel Identification Number (PIN): Tax Map Number:  
Short Property Description:

Current Property Address

City: State: Zip Code:  
Instrument Prepared By: VIRGINIA GAS & OIL BOARD Recording Paid By: DMME  
Recording Returned To: DMME - DIVISION OF GAS AND OIL  
Address: P. O. DRAWER 159  
City: LEBANON State: VA Zip Code: 24266



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**VIRGINIA LAND RECORD COVER SHEET  
FORM B – ADDITIONAL GRANTORS/GRANTEES**

BOOK 0828 PAGE 0023

Instrument Date: 10/12/2017

Instrument Type: ODU

Number of Parcels: 0      Number of Pages: 15

City  County  
RUSSELL

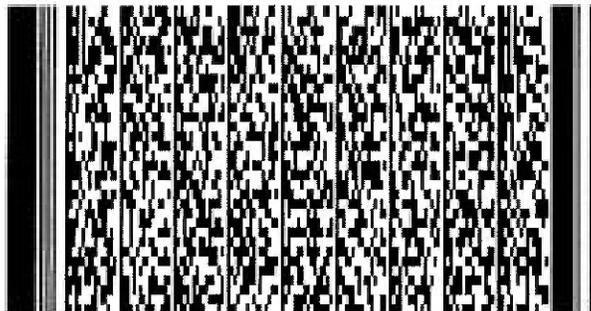
**GRANTOR BUSINESS / NAME**

- Grantor:

*(Area Above Reserved For Deed Stamp Only)*

**GRANTEE BUSINESS / NAME**

- 3  Grantee: WOMACK, MARTHA
- 4  Grantee: SWORDS CREEK LAND PARTNERSHIP
- 5  Grantee: CORNS, ROY
- 6  Grantee: CORNS, NELLIE
- 7  Grantee: CORNS, ROY HARLEN
- 8  Grantee: OSBORNE, DORCIE CACY BROWN
- 9  Grantee: MONK, JOYCE PRICE
- 10  Grantee: CORNS, TRUELL







**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:** AY118

**TRACT(S):** 3C

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-03-1216-1238-04

**APPLICANTS:** CNX Gas Company LLC on behalf of Roy H. Corns

**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 03/29/2004, Recorded on 04/02/2004, Deed Book/Instrument No. 605, Page 646.
- 2. Supplemental Order, Recorded on 03/14/2005, Deed Book/Instrument No. 627, Page 287.
- 3. Disbursement Order -01 Executed 10/18/2007, Recorded on 10/29/2007, Deed Book/Instrument No. 680, Page 617.
- 4. Disbursement Order -02 Executed 02/02/2016, Recorded on 02/29/2016, Deed Book/Instrument No. 799, Page 199.

5. Disbursement Order -03 Executed 08/04/2017, Recorded on 08/16/2017, Deed Book/Instrument No. 0824, Page 0268.

**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3C 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. Roy Corns is the gas claimant in a portion of Tr. 3C. As such Roy Corns is entitled to 100% of the CBM royalties attributable to their gas claims that are 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 previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 03-0216-1238-02, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- 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 Roy Corns and shall not escrow same. See Exhibit EE annexed hereto

**RELIEF GRANTED:**

VGOB Disbursement  
 Unit AY118  
 VGOB-03-1216-1238-04

Table 1  
 Tracts: 3C

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty Split		Escrowed Acres		Percent of Escrowed Funds		Adjustment Amount
			in Tract	in Tract	in Tract	Agreement	Disbursed	Disbursed	Disbursed	Disbursed			
		Total acreage in escrow before disbursement							0.42000				
3C Tract 3C (total acreage)			1.2600										
1	3C	Roy H. Corns\7146 Township Road 85 Mount Gilead OH 43338	1/3	0.4200	100.00%	0.4200	100.00%	0.4200	100.0000%				

**Adjustment Comments:**

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 12 day of October, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 12 day of October, 2017 by Order of the Virginia Gas and Oil Board.



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

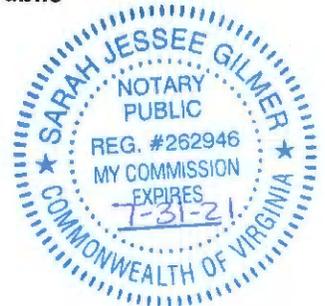
COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 12<sup>th</sup> day of October, 2017, 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 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 03-1216-1238-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3C (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: AY118

RUSSELL 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(s) attributable to a portion of Tract 3C, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Roy Corns.

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. Roy Corns is the gas claimant in a portion of Tr. 3C. As such Roy Corns is entitled to 100% of the CBM royalties attributable to their gas claims that are 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 previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 03-0216-1238-02, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- 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 Roy Corns and shall 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.

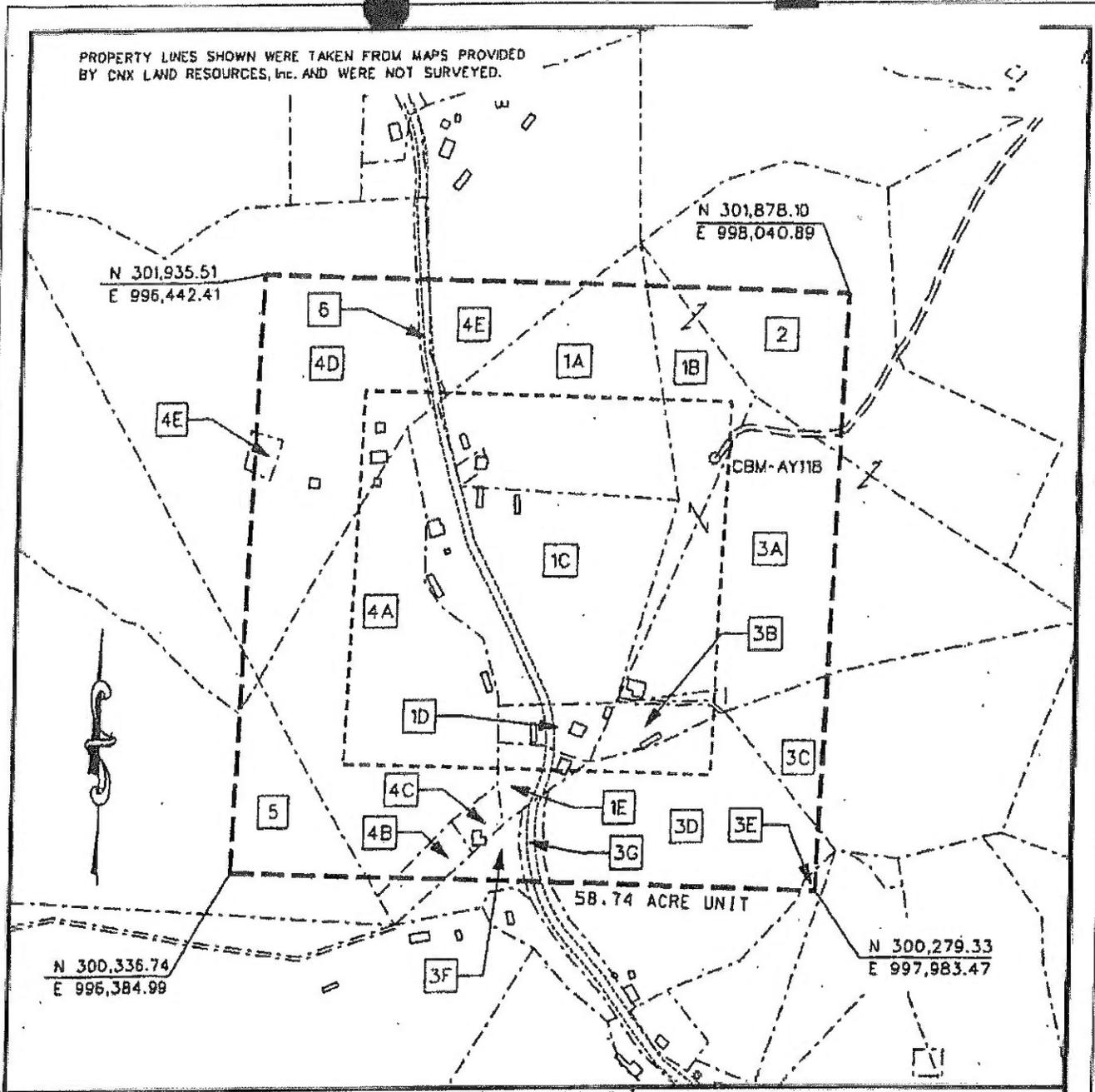
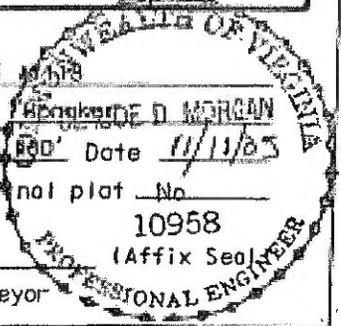


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT AY-118  
 FORCE POOLING  
 VGOB-03-1216-1238

Company CNX Gas Company LLC Well Name and Number UNIT AY-118  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Houghton D MORGAN  
 County Russell District New Garden Scale: 1" = 600' Date 11/11/05  
 This plot is a new plot X ; on updated plot \_\_\_\_\_ ; or a final plat No. \_\_\_\_\_

Form DGO-GO-7  
 Rev. 9/91

*Charles D. Morgan*  
 Licensed Professional Engineer or Licensed Land Surveyor



**CNX Gas Company LLC**  
**Unit AY-118**  
**Tract Identifications**  
**(58.74 Acre Unit)**

1. Swords Creek Land Partnership Tr. 3 – All Minerals  
 Reserve Coal Properties Company – Coal In and Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Coal Above Drainage Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 17.73 acres                      30.1839%
  
- 1A. Unknown Surface Owner
- 1B. Sylvia Price, et al – Surface
- 1C. Charles Bascom Price - Surface
- 1D. Unknown Surface Owner
- 1E. Unknown Surface Owner
  
2. Swords Creek Land Partnership Tr. 19 – All Minerals  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Sylvia Price, et al - Surface  
 2.74 acres                      4.6646%
  
- 3A. Swords Creek Land Partnership Tr. 55 – Coal  
 Consolidation Coal Company - Below Tiller Coal Leased  
 Knox Creek Coal Corporation - Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Dorice Cacy Brown – All Minerals except Coal  
 Sylvia Irene Price - Surface  
 6.96 acres                      11.8488%
  
- 3B. Swords Creek Land Partnership Tr. 55 – Coal  
 Consolidation Coal Company – Below Tiller Coal Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joyce Price Monk – Surface and All Minerals except Coal  
 0.86 acres                      1.4641%
  
- 3C. Swords Creek Land Partnership Tr. 55 – Coal  
 Consolidation Coal Company – Below Tiller Coal Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Nellie Corns – Surface and All Minerals except Coal  
 1.26 acres                      2.1450%





Exhibit E  
Unit AY-118  
Docket #VGOB 03-1216-1238-04  
List of Owners/Claimants that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
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*Escrowing no longer required*

Exhibit EE  
Unit AY-118  
Docket #VGOB 03-1216-1238-04  
List of Respondents with Royalty Splits/Court Orders/HB2058  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #3A, 6.96 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	6.96 acres	11.8488%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Dorcie Cacy Brown Osborne P.O. Box 296 Cedar Bluff, VA 24609	6.96 acres	11.8488%	n/a
<b><u>Tract #3B, 0.86 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.86 acres	1.4641%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Joyce Price Monk P.O. Box 247 Swords Creek, VA 24649	0.86 acres	1.4641%	n/a
<b><u>Tract #3C, 1.26 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	1.26 acres	2.1450%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Roy Corns, et al 8.00 Acres T000214 (Previously Nellie Corns)	1.26 acres	2.1450%	
(a) Nellie Corns Hairs, Devises, Successors or Assigns			<i>Conveyed 7/25/01 DB 551/3 to Roy Corns, et al as joint tenants with full rights of survivorship</i>
(a.1) Roy Harlen Corns 7146 Township Rd 85 Mt Gilead, OH 43338	0.4200 acres 1/3 of 1.26 acres	0.7150%	100.00% HB2058
(a.2) Ellen Carello 1607 Reynolds Ln Honaker, VA 24260	0.4200 acres 1/3 of 1.26 acres	0.7150%	n/a
(a.3) Truel Corns (DOD 12/24/2014)			<i>Interest passes back to remaining joint tenants</i>
(a.4) Martha Womack 365 South Railroad Ave, Apt. 13 Honaker, VA 24260	0.4200 acres 1/3 of 1.26 acres	0.7150%	n/a
(a.5) Douglas Wayne Hale (DOD 1/30/2005)			<i>Interest passes back to remaining joint tenants</i>

Exhibit EE  
 Unit AY-118  
 Docket #VGOB 03-1216-1238-04  
 List of Respondents with Royalty Splits/Court Orders/HB2058  
 (58.74 Acre Unit)

	Acres in Unit	Interest In Unit	Percent of Escrow
<b><u>Tract #3D, 5.83 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	5.83 acres	9.9251%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Sallie Irene Breedlove P.O. Box 136 Swords Creek, VA 24649	5.83 acres	9.9251%	n/a
<b><u>Tract #3E, 0.03 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.03 acres	0.0511%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Mary Breedlove, et al 5.00 Acres (Previously Randy L. Dye, et ux)	0.03 acres	0.0511%	
(a) Mary M. Breedlove PO Box 271 Swords Creek, VA 24649	0.015 acres 1/2 of 0.03 acres	0.0255%	n/a
(b) Scottie L. Dye PO Box 271 Swords Creek, VA 24649	0.015 acres 1/2 of 0.03 acres	0.0255%	n/a
<b><u>Tract #3F, 0.47 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.47 acres	0.8001%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Shirley Ann Meadows Grizzle P.O. Box 382 Swords Creek, VA 24649	0.47 acres	0.8001%	n/a
<b><u>Tract #3G, 0.32 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.32 acres	0.5448%	

	Acres In Unit	Interest In Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.32 acres	0.5448%	n/a

1702204

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 10-30, 2017, This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:48 o'clock P. M, after payment of \$      tax imposed by Sec. 58.1-802.

Original returned this date to: S. Kotkon

TESTE ANN S. McREYNOLDS, CLERK  
 BY: Vickie Colley D. CLERK