

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

An Order for Disbursement of Escrowed Funds
(and Authorization for Direct Payment of Royalties)

SOUGHT:

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: AZ98

TRACT(S): A portion of 2A

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-04-0316-1261-01

APPLICANTS:

CNX Gas Company LLC on behalf of Allen Sanders, Betty Sue Fletcher, Chester Sanders,
Dave Sanders, Edward V. Tiller, Harley Sanders, Harrison-Wyatt LLC, Jerry Sanders, Loeita
Austin, Norman Sanders

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
January 19, 2016

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 07/21/2005, Recorded on 07/26/2005, Deed Book/Instrument No. 621, Page 724.
2. Supplemental Order, Recorded on 01/23/2008, Deed Book/Instrument No. 80000282.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the January 19, 2016 hearing and considered whether to:

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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) A portion of 2A identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 2A 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. Harrison-Wyatt, LLC and Betty Sue Fletcher, Chester Sanders, Dave Sanders, Norman Sanders, Jerry Sanders have entered into royalty agreement(s). Said royalty split agreement 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 divided and paid.
- b. Edward V. Tiller, Loeita Austin, Harley Sanders, Allen Sanders the gas claimants in Tract 2A As such, 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.
- c. 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.
- d. 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.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. 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.
- g. 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 and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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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 January, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 21st day of January, 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, that he executed the same and was authorized to do so.


 Sarah Jessee Gilmer, Notary Public
 262946


My Commission expires: July 31, 2017

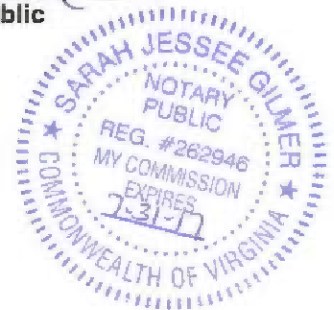
DONE AND PERFORMED this 22 day of January, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd day of January, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he 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 04-0316-1261-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 2A (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES****HEARING DATE:** January 19, 2016**DRILLING UNIT:** AZ98**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) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 2A, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the following parties: Edward V. Tiller, Loeita Austin, Betty Sue Fletcher, Chester Sanders, Dave Sanders, Norman Sanders, Harley Sanders, Jerry Sanders & Allen Sanders.

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)

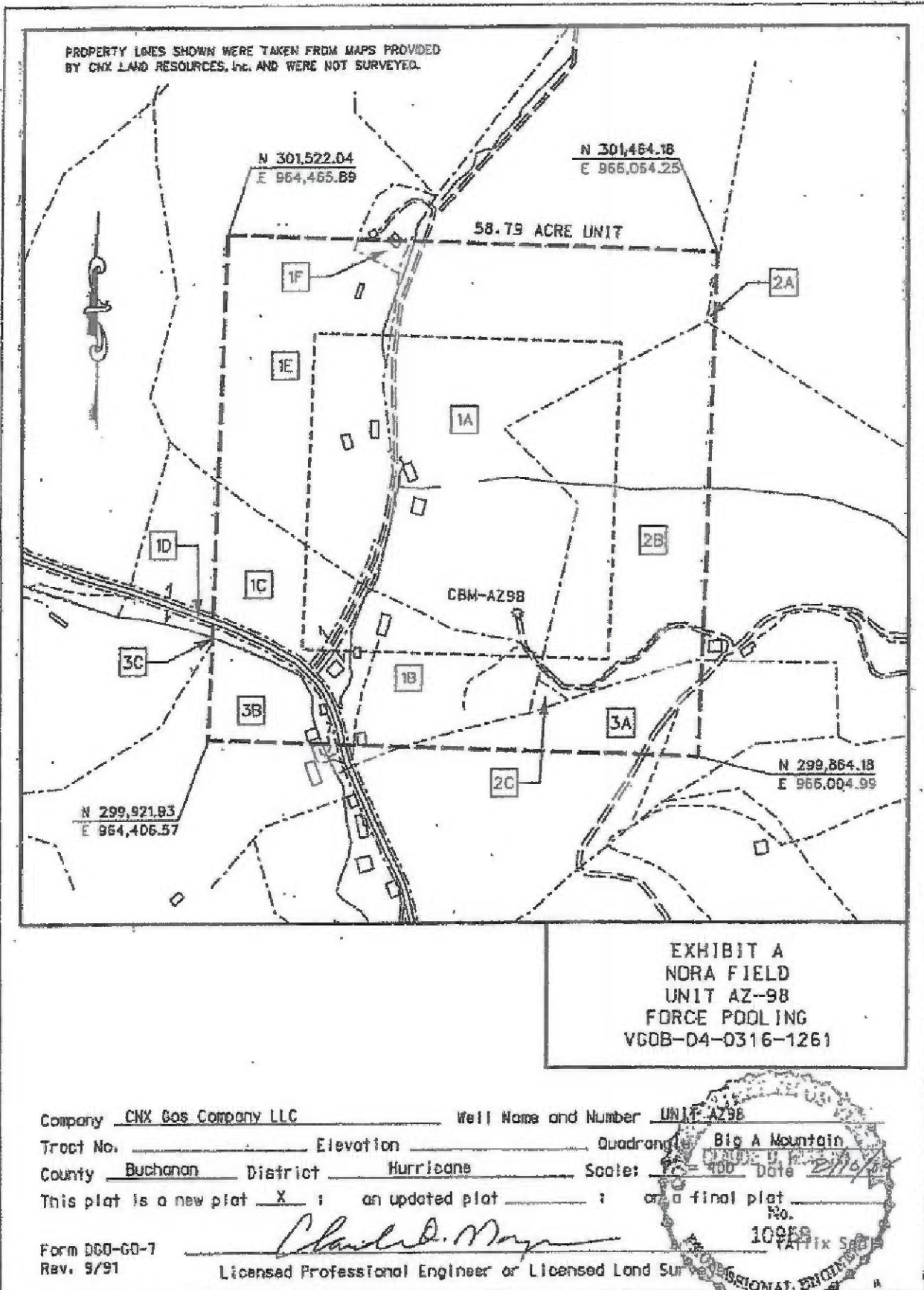
Coalbed Methane

5. Factual basis for relief requested

- a. Harrison-Wyatt, LLC and Betty Sue Fletcher, Chester Sanders, Dave Sanders, Norman Sanders, Jerry Sanders have entered into royalty agreement(s). Said royalty split agreement 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 divided and paid.
- b. Edward V. Tiller, Loeita Austin, Harley Sanders, Allen Sanders the gas claimants In Tract 2A As such, 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.
- c. 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.
- d. 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.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. 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.
- g. 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 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.



CNX Gas Company LLC**UNIT AZ-98**

Tract Identifications
(58.79 Acre Unit)

1. Harrison-Wyatt, L.L.C. (Big Axe Tr. 2) - All Minerals
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
41.44 acres 70.4882%
- 1A. Emma Jane Harris - Surface
- 1B. Gregory D. Austin, et ux - Surface
- 1C. Myra K. Austin - Surface
- 1D. Commonwealth of Virginia - Surface
- 1E. Teresa Harris, et al - Surface
- 1F. Brian Hess, et ux - Surface
- 2A. 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
Fielden Sanders Hairs, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (85%)
0.06 acres 0.1021%
- 2B. 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
Gregory D. Austin, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
11.76 acres 20.0034%
- 2C. 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
Gregory D. Austin, et ux - Surface and All Minerals except Coal (Cemetery)
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.14 acres 0.2381%
3. Harrison-Wyatt, L.L.C. (Big Axe Tr. 8) - All Minerals
Jewell Smokeless Coal Corp. - Coal in Tillier and Above Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
5.39 acres 9.1682%
- 3A. Chester McGlothlin, et ux - Surface
- 3B. Unknown Surface Owner
- 3C. Unknown Surface Owner

Exhibit E
Unit AZ-98
Docket #VGOB 04-0316-1261-01
List of Respondents requiring escrow
(58.79 Acre Unit)

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	Acres in Unit	Percent of Unit
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Tract #2A - 0.06 acres

COAL FEE OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.06 acres	0.1021%
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OIL & GAS FEE OWNERSHIP

(1) Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	0.06 acres	0.1021%
(b) Lethia (Leafy) Sanders Tiller Heirs, Devise Successors or Assigns <i>(doc requested 11/23/15)</i>	0.0029 1/21 of 0.06 acres	0.0049%

The ownership listed below is currently being reviewed and documentation is being requested to verify title.

(b.1) Christa Dawn (Duty) Hess (Waddel)
231 Hales Rd
Jonesborough, TN 37659

(b.2) Ronnie Wayne Tiller
7918 Gold Leaf Circle
Spotsylvania, VA 22551

The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.

(c) Lena Sanders Sutarka 751 Forest Hill Road Gordonsville, VA 22942	0.0029 1/21 of 0.06 acres	0.0049%
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W9/Affidavit Pending

(d) Daniel E. Sanders Heirs, Devisees, Successors or Assigns		
(d.1) Orie Wangler (Gerard) Rt 2 Box 466 McLoud, OK 74851	0.0007 1/84 of 0.06 acres	0.0012%
(d.2) Walnoke Lynn Kummell 16826 Topeka Ln Choctaw, OK 74020	0.0007 1/84 of 0.06 acres	0.0012%
(d.3) Latrenda Sanders Rt 2 Box 466 McLoud, OK 74851	0.0007 1/84 of 0.06 acres	0.0012%
(d.4) Lamona Heck PO Box 1407 Bedford, VA 24523	0.0007 1/84 of 0.06 acres	0.0012%

The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.

(e) Julia Sanders O'Quinn 1232 Green-Cook Road Sunbury, OH 43074	0.0029 1/21 of 0.06 acres	0.0049%
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns		
(f.1) Beatrice Jane MacCormac 8732 Philpps Farm Way Manassas, VA 20109	0.0014 1/42 of 0.06 acres	0.0024%

Exhibit E
Unit AZ-98
Docket #YGOB 04-0316-1261-01
List of Respondents requiring escrow
(58.79 Acre Unit)

160000145

	Acres in Unit	Percent of Unit
(g) Walter Sanders Heirs, Devisees, Successors or Assigns		
(g.2) Adrinne Sanders Horn Box 652 Burnett Street Richlands, VA 24641	0.0007 1/84 of 0.06 acres	0.0012%
(g.4) Terry Sanders 271 Pleasant Ridge Road Franklinville, NC 27248	0.0007 1/84 of 0.06 acres	0.0012%

Exhibit EE
Unit AZ-98
Docket #VGOB 04-0316-1261-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.79 Acre Unit)

160000145

	Acres in Unit	Percent of Unit	Percent of Esorow
<u>Tract #2A - 0.06 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.06 acres	0.1021%	31.7460% (Royalty Split) -50%
<u>OIL & GAS OWNERSHIP</u>			
(1) Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	0.06 acres	0.1021%	
(1) Ora Sanders Heirs, Devisees, Successors or Assigns			
(a) Oma Sanders Tiller Heirs, Devisees, Successors or Assigns (1/21)			
(a.1) Edward V. Tiller 7491 Red Bud Highway Honaker, VA 24260	0.0014 1/42 of 0.06 acres	0.0024%	2.8011% HB2058
(a.2) Loeita Austin 7509 Red Bud Highway Honaker, VA 24260	0.0014 1/42 of 0.06 acres	0.0024%	2.8011% HB2058
(f.2) Betty Sue Fletcher * P.O. Box 691 Marion, VA 24354	0.0014 1/42 of 0.06 acres	0.0024%	1.4006% (Royalty Split) -50%
<i>* Previously on the Exhibit EE of the Order, but was never placed on pay.</i>			
(g) Walter Sanders Heirs, Devisees, Successors or Assigns			
(g.1) Nadine Sanders Hurley RL2 Box 171 Honaker, VA 24656	0.0007 1/84 of 0.06 acres	0.0012%	
(g.3) Roger Sanders P.O. Box 82 Pilgrims Knob, VA 24634	0.0007 1/84 of 0.06 acres	0.0012%	
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns			
(a) Chester Sanders 406W Dartmouth Avenue Melbourne, FL 32901	0.0100 1/6 of 0.06 acres	0.0170%	9.8039% (Royalty Split) -50%
(b) Dave Sanders 590 Bailey Switch Rd Bluefield, VA 24605	0.0100 1/6 of 0.06 acres	0.0170%	9.8039% (Royalty Split) -50%
(c) Norman Sanders 2013 Otterdale Road Midlothian, VA 23112	0.0100 1/6 of 0.06 acres	0.0170%	9.8039% (Royalty Split) -50%
(d) Estil Sanders Heirs, Devisees, Successors or Assigns			

Exhibit EE
Unit AZ-98
Docket #VGOB 04-0316-1261-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.79 Acre Unit)

160000145

	Acres in Unit	Percent of Unit	Percent of Escrow
(d.4) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.0010 1/63 of 0.06 acres	0.0016%	1.8674% HB2058
(d.5) Jerry Sanders PO Box 1931 Honaker, VA 24260	0.0010 1/63 of 0.06 acres	0.0016%	0.9337% (Royalty Split)
(d.7) Allen Sanders P.O. Box 2254 Lebanon, VA 24286	0.0010 1/63 of 0.06 acres	0.0016%	1.8674% HB2058
(d.8) Evelyn Sanders Nash ** 19 Heritage Drive Honaker, VA 24260	0.0010 1/63 of 0.06 acres	0.0016%	n/a

** Previously on the Exhibit E of the Order. She was never escrowed and has been paid from first production.

Tract #2B - 11.76 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4)
P.O. Box 11000
Danville, VA 24543

11.76 acres

20.0034%

n/a

OIL & GAS OWNERSHIP

(1) Gregory D. & Diana F Austin, et ux.
4654 Old Grissom
Honaker, VA 24260

11.76 acres

20.0034%

n/a

Tract #2C - 0.14 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4)
P.O. Box 11000
Danville, VA 24543

0.14 acres

0.2381%

n/a

OIL & GAS OWNERSHIP

(1) Gregory D. & Diana F Austin, et ux.
4654 Old Grissom
Honaker, VA 24260

0.14 acres

0.2381%

n/a

INSTRUMENT #160000145
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
FEBRUARY 2, 2016 AT 02:50PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLP