

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: BB121

TRACT(S): A portion of 001D

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-04-0518-1288-01

APPLICANTS:

CNX Gas Company LLC on behalf of Carol French, Jannie Richardson, Patsy Richardson

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 12/10/2004, Recorded on 12/15/2004, Deed Book/Instrument No. 622, Page 289.
2. Supplemental Order, Recorded on 12/13/2007, Deed Book/Instrument No. 682, Page 872.

NOTICE:

(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 001D identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 001D 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. Jannie Richardson, Carol French and Patsy Richardson is the gas claimant in Tracts 1D As such Jannie Richardson, Carol French and Patsy Richardson 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 Jannie Richardson, Carol French and Patsy Richardson and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

DONE AND EXECUTED this 3 day of March, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

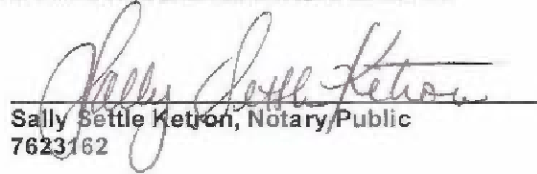
DONE AND PERFORMED this 3 day of March, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 3 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.



Sally Settle Ketron, Notary Public
7623162

My Commission expires: January 31, 2019



BEFORE THE VIRGINIA GAS AND OIL BOARD**PETITIONER:** CNX Gas Company LLC**DIVISION OF GAS AND OIL****DOCKET NO:** VGOB 04-0518-1288-01**RELIEF SOUGHT:** (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 001D (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:** BB121**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, attributable to of Tract 1D, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Jannie Richardson, Carol French and Patsy Richardson.

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. Jannie Richardson, Carol French and Patsy Richardson is the gas claimant in Tracts 1D As such Jannie Richardson, Carol French and Patsy Richardson 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 Jannie Richardson, Carol French and Patsy Richardson 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.

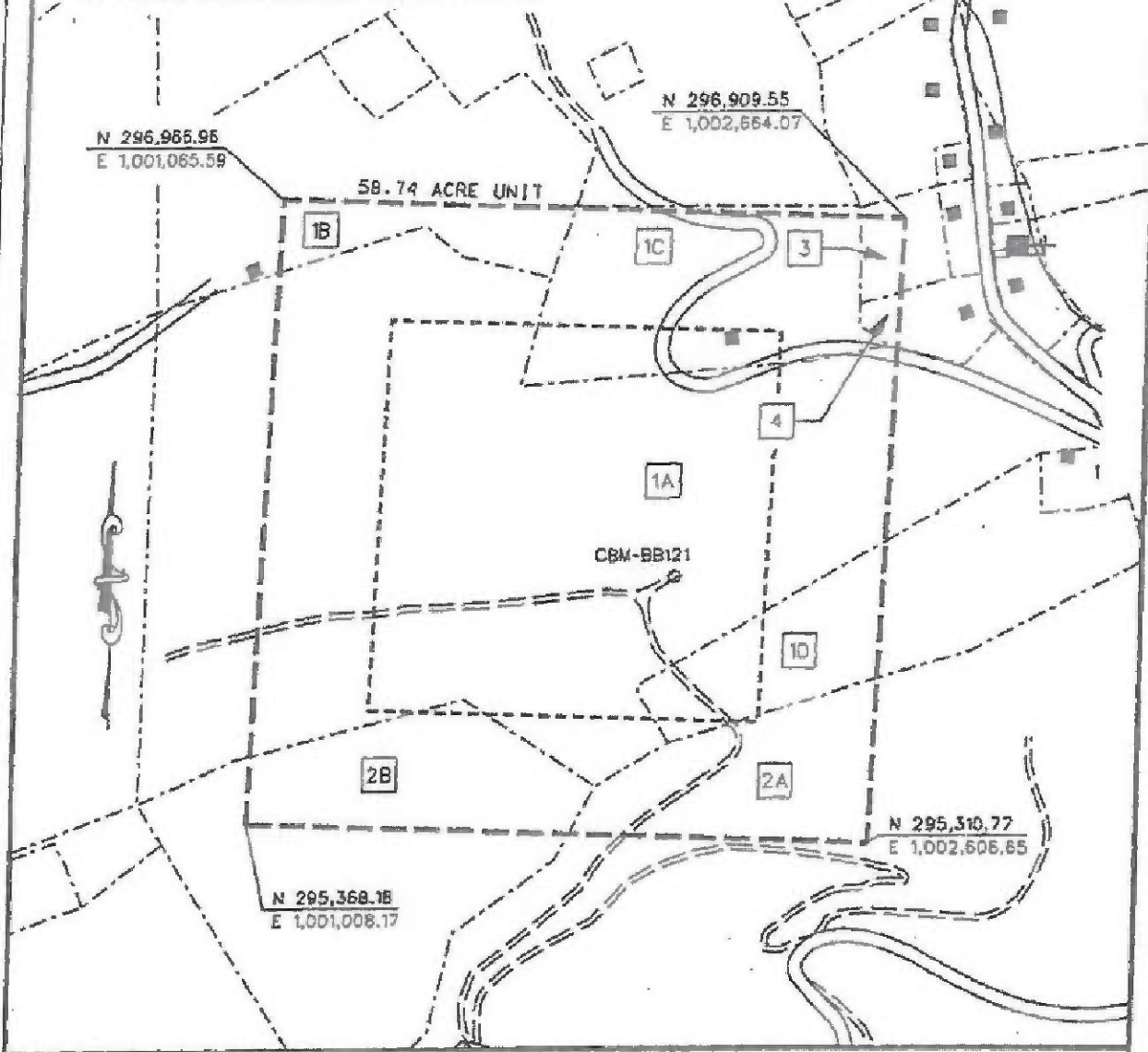


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BB-121
FORCE POOLING
VGOB-04-0518-1288

Company CNX Gas Company LLC Well Name and Number UNIT BB121
 Tract No. _____ Elevation _____ Quadrangle Henaker 14-12-14
 County Russell District New Garden Scale: S = 400' Date 4/1/2004
 This plat is a new plat X : an updated plat _____ : or a final plat _____
 Form DCO-GO-7 Charles O. May 2005 (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

Force Pooling BB121 POOL.sgm 04/14/2004 10:41:30 AM

CNX Gas Company LLC**Unit BB 121****Tract Identifications****(68.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 24 - Fee
Consolidation Coal Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Coal in Tiller and Above Leased
CNX Gas Company LLC - CBM Leased
35.04 acres 68.6527%
- 1B. Swords Creek Land Partnership Tr. 24 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased
Louise Dye - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
2.17 acres 3.6942%
- 1C. Swords Creek Land Partnership Tr. 24 - All Minerals
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased
Unknown Surface Owner
7.53 acres 12.8192%
- 1D. Swords Creek Land Partnership Tr. 24 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased
Madeline Richardson, et al - All Minerals except Coal
Russell Reynolds - Surface
0.51 acres 0.8683%
- 2A. Swords Creek Land Partnership Tr. 25 - All Minerals
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased
Ralph Steele, et ux - Surface
0.24 acres 0.4086%
- 2B. Swords Creek Land Partnership Tr. 25 - All Minerals
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased
E. P. Whitfield Helra or Wayne Bostic - Surface
3.49 acres 5.9414%

CNX Gas Company LLC**Unit BB 121****Tract Identifications
(68.74 Acre Unit)**

3. **Jimmy Richardson - All Minerals (97.77%)**
Swords Creek Land Partnership Tr. 24 - All Minerals (2.23%)
Reserve Coal Properties - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased (2.23%)
Jimmy Richardson - Surface
4.82 acres 8.2057%

4. **Edward Richardson - All Minerals (97.77%)**
Swords Creek Land Partnership Tr. 24 - All Minerals (2.23%)
Reserve Coal Properties - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
CNX Gas Company LLC - CBM Leased (2.23%)
Edward Richardson - Surface
4.84 acres 8.4099%

Exhibit E
Unit BB-121
Docket #VGOB 04-0516-1266-01
List of Respondents that require escrow
(58.74 Acre Unit)

BOOK 0799 PAGE 859

	Acres In Unit	Interest in Unit
<u>Tract #1D, 0.51 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.24 P.O. Box 29 Tazewell, VA 24651	0.51 acres	0.8682%
<u>OIL & GAS OWNERSHIP</u>		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.</i>		
Arnold Victor Richardson Heirs, et al. 7.50 Acres - T001991	0.51 acres	0.8682%
(1) Arnold Richardson Heirs, Devisees, Successors or Assigns		
(a) Madeline Richardson 213 Bevins Branch Pikeville, KY 41501	0.055 acres 43/396 of 0.51 acres	0.0943%
(a.1) Gayelene Maupin 14570 Lover Lane Rd Princeton, IL 61335	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.2) Bobby Richardson 747 Upper Johns Creek Rd Kimper, KY 41539	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.3) Gary Richardson 25601 1500 East St Walnut, IL 61378	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.4) Daniel Richardson PO Box 191 McNabb, IL 61335	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.5) Patricia Hull 606 Erickson Dr Princeton, IL 61335	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.6) Roger Richardson 240 Left Fork Bevins Branch Pikeville, KY 41501	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.7) Darrell Richardson 65 Bevins Branch Pikeville, KY 41501	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.8) Terry Richardson Box 28 Varney St Pikeville, KY 41501	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.9) Deborah Huffman 246 Left Fork Bevins Branch Pikeville, KY 41501	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.10) Teresa Justice 148 Left Fork Bevins Branch Pikeville, KY 41501	0.010 acres 43/2178 of 0.51 acres	0.0171%
(a.11) Tiffany Sanson 30 Beech St Phelps, KY 41553	0.010 acres 43/2178 of 0.51 acres	0.0171%
(2) George Peery Richardson Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BB-121
Docket #VGOB 04-0518-1288-01
List of Respondents that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(a) Larry Richardson 36405 Providence Church Rd Delmar, DE 19940	0.018 acres 43/1188 of 0.51 acres	0.0314%
(b) Harry Richardson PO Box 162 Richlands, VA 24641	0.018 acres 43/1188 of 0.51 acres	0.0314%
(d) Connie Honaker 2270 Tunnel Rd Honaker, VA 24260	0.018 acres 43/1188 of 0.51 acres	0.0314%
(g) Banna Brown 222 Douglas Chapel Rd Jonesborough, TN 37659	0.018 acres 43/1188 of 0.51 acres	0.0314%
(h) Karen Reynolds 19478 Midwest Circle Abingdon, VA 24211	0.018 acres 43/1188 of 0.51 acres	0.0314%
(i) Bennie Douglas Richardson Heirs, Devisees, Successors or Assigns		
(i.1) Pamela Stapleton PO Box 1223 Bluefield, VA 24605	0.009 acres 4/221 of 0.51 acres	0.0157%
(i.2) Kimberly Cox 1836 Baptist Valley Rd Cedar Bluff, VA 24609	0.009 acres 4/221 of 0.51 acres	0.0157%
(3) Herbert Paul Richardson Heirs, Devisees, Successors or Assigns		
(a) Blanche Richardson 612 Kents Ridge Rd Swords Creek, VA 24649	0.166 acres 43/132 of 0.51 acres	0.2828%
(4) Clarence Howard Whitel Heirs, Devisees, Successors or Assigns		
(a) Alice Faye Ball 16299 Worthing Way Abingdon, VA 24211	0.012 acres 1/44 of 0.51 acres	0.0197%
TOTALS:		
Total Acreage in Unit	0.48	
Total Percentage of Unit		0.7740%

Exhibit EE
Unit BB-121
Docket #VGOB 04-0518-1288-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1B, 2.17 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.24 P.O. Box 187 Tazewell, VA 24651	2.17 acres	3.6942%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Louise Dye P.O. Box 47 Swords Creek, VA 24649	2.17 acres	3.6942%	n/a
<u>Tract #1D, 0.51 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.24 P.O. Box 29 Tazewell, VA 24651	0.51 acres	0.8882%	
<u>OIL & GAS OWNERSHIP</u>			
Arnold Victor Richardson Heirs, et al. 7.50 Acres - T001991	0.51 acres	0.8882%	
(2) George Peery Richardson Heirs, Devisees, Successors or Assigns			
(c) Jannie Richardson 34815 Gov GC Perry Hwy N. Tazewell, VA 24630	0.018 acres 43/1188 of 0.51 acres	0.0314%	3.6195% HB2058
(a) Carol French 124 Patton Rd N. Tazewell, VA 24630	0.018 acres 43/1188 of 0.51 acres	0.0314%	3.6195% HB2058
(f) Patsy Richardson 862 SW Goodrich St Port St. Lucie, FL 34983	0.018 acres 43/1188 of 0.51 acres	0.0314%	3.6195% HB2058
<u>TOTALS:</u>			
Total Acreage in Unit	2.23		
Total Percentage of Unit		3.7885%	

1600500

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 1:23 o'clock P. M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Sarah Gilmer

TESTE: ANN S. McREYNOLDS, CLERK
BY: Ann S. McReynolds CLERK