

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: BB31

TRACT(S): A portion of 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-04-0817-1317-02

APPLICANTS:

CNX Gas Company LLC on behalf of Diana Lewis Starr, Janice Dute Lewis, Suzanne Zolidan,
William Harrison Lewis

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 12/14/2004, Recorded on 12/15/2004, Deed Book/Instrument No. 608, Page 708.
2. Supplemental Order, Recorded on 03/14/2005, Deed Book/Instrument No. 614, Page 44.
3. Disbursement Order -01 Executed 07/01/2016, Recorded on 07/07/2016, Deed Book/Instrument No. 110001187.

NOTICE:

170002289

- (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 4 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 4 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. Royalties attributable to Janice Lewis, William Harrison Lewis, Suzanne Zoldan, and Diana Lewis Starr's interest can be released due to the fact that they have been recently located. The Applicant and Designated Operator are also requesting that they be allowed to pay royalties directly to Janice Lewis, William Harrison Lewis, Suzanne Zoldan, and Diana Lewis Starr. The annexed Exhibit A-1, further specifies how said royalties are to be paid
- 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 Janice Lewis, William Harrison Lewis, Suzanne Zoldan, and Diana Lewis Starr and not escrow same. See Exhibit EE annexed hereto.

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 continue 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 16 day of October, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

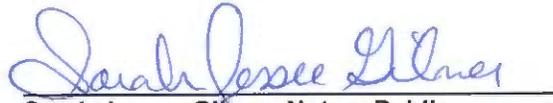
DONE AND PERFORMED this 16 day of October, 2017 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 16th 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 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 04-0817-1317-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 4 (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: BB31

BUCHANAN 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, attributable to a portion of Tract 4, as depicted upon the annexed table; (2) authorization to begin paying royalties directly to the party/parties previously listed as unlocatable: Janice Lewis, William Harrison Lewis, Suzanne Zolldan, and Diana Lewis Starr.

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. Royalties attributable to Janice Lewis, William Harrison Lewis, Suzanne Zolldan, and Diana Lewis Starr's interest can be released due to the fact that they have been recently located. The Applicant and Designated Operator are also requesting that they be allowed to pay royalties directly to Janice Lewis, William Harrison Lewis, Suzanne Zolldan, and Diana Lewis Starr. The annexed Exhibit A-1, further specifies how said royalties are to be paid
- 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 Janice Lewis, William Harrison Lewis, Suzanne Zolldan, and Diana Lewis Starr 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.

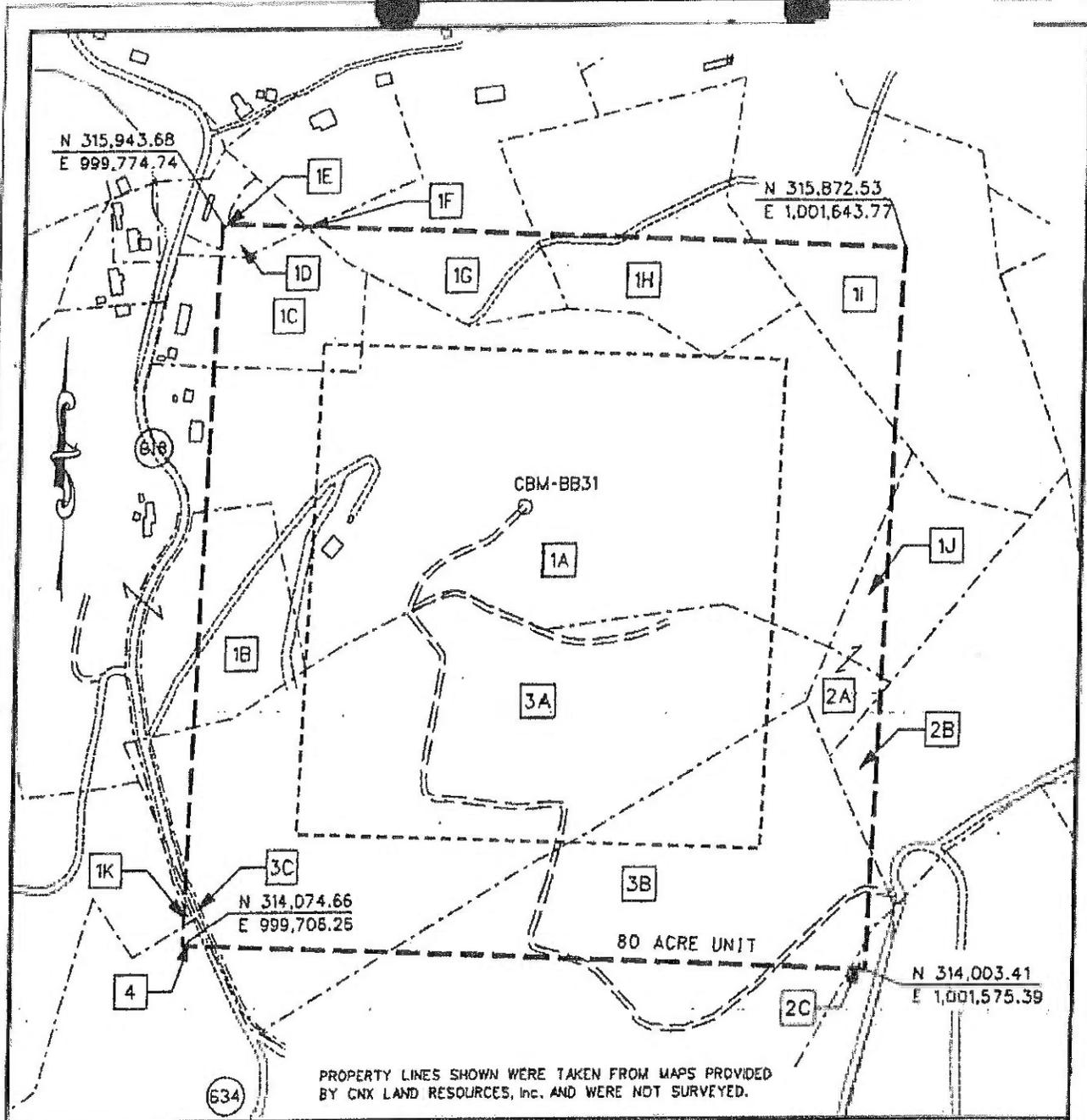


EXHIBIT A
 DAKWOOD FIELD
 UNIT BB-31
 FORCE POOLING
 VGDB-04-0817-1317

Company CNX Gas Company LLC Well Name and Number UNIT BB31
 Tract No. _____ Elevation _____ Quadrangle Green Mountain
 County Buchanan District Garden Scale: 1"=100' Date 7/20/04
 This plat is a new plat ; on updated plat _____ ; or a final plat _____

Form DGO-60-7
 Rev. 9/91

[Signature]
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CNX GAS COMPANY LLC**UNIT BB-31**

Tract Identifications

1. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 9 – All Minerals
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
43.07 acres 53.8375%
- 1A. Charlie Monk – Surface
1B. Unknown Surface Owner
1C. Unknown Surface Owner
1D. Consolidation Coal Company – Surface
1E. Consolidation Coal Company – Surface
1F. Unknown Surface Owner
1G. Unknown Surface Owner
1H. Consolidation Coal Company – Surface
1I. Consolidation Coal Company – Surface
1J. Consolidation Coal Company – Surface
1K. Unknown Surface Owner
2. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 29 – All Minerals
Consolidation Coal Company - Below Drainage Coal Leased
New Garden Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.69 acres 3.3625%
- 2A. Consolidation Coal Company – Surface
2B. Consolidation Coal Company – Surface
- 3A. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Lida J. Holzgreffe – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
23.16 acres 28.9500%
- 3B. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
New Garden Coal Corp. – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Amos Short – Surface
10.91 acres 13.6375%

CNX GAS COMPANY LLC
UNIT BB-31
Tract Identifications

- 3C. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Lida J. Holzgrefe OR Commonwealth of Virginia - All Minerals except Coal
CNX Gas Company LLC - Oil Gas and CBM Leased (If owned by Lida J. Holzgrefe)
Commonwealth of Virginia - Surface
0.08 acres 0.1000%
4. Mae Wells, et al - Fee
0.09 acres 0.1125%

Exhibit E
Unit BB-31
Docket #VGOB 04-0817-1317-02
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<u>Tract #3C - 0.08 acres</u>		
<i>Escrow due to Title Conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr. 1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.08 acres	0.1000%
<u>OIL & GAS OWNERSHIP</u>		
(1) Lida J. Holzgrefe 13765 Seabiscuit Dr Reno, NV 89521	0.08 acres	0.1000%
- OR -		
(1) Commonwealth of Virginia Dept. of Transportation P. O. Box 1768 Bristol, VA 24203	0.08 acres	0.1000%
	Total tract acres	0.0800
	Total tract percent	0.1000%

Tract #4 - 0.09 acres**COAL OWNERSHIP**

(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.09 acres	0.1125%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns		
(a.1) Harrison Lewis Heirs, Devisees, Successors or Assigns		
(a.1.1) Janice Dute Lewis PO Box 128 McClellan, VA 22010	0.0011 1/80 of 0.09 acres	0.0014%
(a.2) Jane Brittain Lewis Heirs, Devisees, Successors, or Assigns		
(a.2.1) Harrison Lewis Heirs, Devisees, Successors or Assigns		
(a.2.1.1) Janice Dute Lewis PO Box 128 McClellan, VA 22010	0.0004 1/240 of 0.09 acres	0.0005%
(a.2.1.1.1) William Harrison Lewis 21616 Ripplemead Drive Gaithersburg, MD 20882	0.0002 1/480 of 0.09 acres	0.0002%
(a.2.1.1.2) Karen Brittain Lewis PO Box 19901 Raleigh, NC 27619-9901	0.0002 1/480 of 0.09 acres	0.0002%
(a.2.1.1.3) Suzanne Zoldan 420 East St. NE Vienna, VA 22180	0.0002 1/480 of 0.09 acres	0.0002%
(a.2.1.1.4) Diana Lewis Starr 2555 Silver Oak Trail Marion, IA 52302	0.0002 1/480 of 0.09 acres	0.0002%

Exhibit E
 Unit BB-31
 Docket #VGOB 04-0817-1317-02
 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
OIL & GAS OWNERSHIP		
Outstanding W9		
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.09 acres	0.1125%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns		
(a.2) Jane Brittain Lewis Heirs, Devisees, Successors, or Assigns		
(a.2.1) Harrison Lewis Heirs, Devisees, Successors or Assigns		
(a.2.1.1.2) Karen Brittain Lewis PO Box 19901 Raleigh, NC 27619-9901	0.0002 1/480 of 0.09 acres	0.0002%
	Total tract acres	0.0002
	Total tract percent	0.0002%
	Total tract acres	0.0802
	Total tract percent	0.1002%

Exhibit EE
Unit BB-31
Docket #VGOB 04-0817-1317-02
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #3A - 23.16 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	23.16 acres	28.9500%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Lida J. Holzgrefe 13765 Seabiscuit Dr Reno, NV 89521	23.16 acres	28.9500%	<i>n/a</i>
Total tract acres	23.1600		
Total tract percent	28.9500%		
<u>Tract #3B - 10.91 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	10.91 acres	13.6375%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) New Garden Coal Corporation c/o Edward Vandyke P.O. Box 29 Tazewell, VA 24651	10.91 acres	13.6375%	<i>n/a</i>
Total tract acres	10.9100		
Total tract percent	13.6375%		
<u>Tract #4 - 0.09 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.09 acres	0.1125%	
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns			
(a.1) Harrison Lewis Heirs, Devisees, Successors or Assigns			
(a.1.1) Janice Dute Lewis PO Box 128 McClean, VA 22010	0.0011 1/80 of 0.09 acres	0.0014%	
(a.2) Jane Brittain Lewis Heirs, Devisees, Successors, or Assigns			
(a.2.1) Harrison Lewis Heirs, Devisees, Successors or Assigns			
(a.2.1.1) Janice Dute Lewis PO Box 128 McClean, VA 22010	0.0004 1/240 of 0.09 acres	0.0005%	
(a.2.1.1.1) William Harrison Lewis 21616 Ripplenead Drive Galthersburg, MD 20882	0.0002 1/480 of 0.09 acres	0.0002%	
(a.2.1.1.2) Karen Brittain Lewis PO Box 19901 Raleigh, NC 27619-9901	0.0002 1/480 of 0.09 acres	0.0002%	

Exhibit EE
Unit BB-31
Docket #VGOB 04-0817-1317-02
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.2.1.1.3) Suzanne Zoldan 420 East St. NE Vienna, VA 22180	0.0002 1/480 of 0.09 acres	0.0002%	
(a.2.1.1.4) Diana Lewis Starr 2555 Silver Oak Trail Marion, IA 52302	0.0002 1/480 of 0.09 acres	0.0002%	
OIL & GAS OWNERSHIP			
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.09 acres	0.1125%	
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns			
(a.1) Harrison Lewis Heirs, Devisees, Successors or Assigns			
(a.1.1) Janice Dute Lewis PO Box 128 McClellan, VA 22010	0.0011 1/80 of 0.09 acres	0.0014%	1.3670%
(a.2) Jane Brittain Lewis Heirs, Devisees, Successors, or Assigns			
(a.2.1) Harrison Lewis Heirs, Devisees, Successors or Assigns			
(a.2.1.1) Janice Dute Lewis PO Box 128 McClellan, VA 22010	0.0004 1/240 of 0.09 acres	0.0005%	0.4557%
(a.2.1.1.1) William Harrison Lewis 21616 Ripplemead Drive Gaithersburg, MD 20882	0.0002 1/480 of 0.09 acres	0.0002%	0.2278%
(a.2.1.1.3) Suzanne Zoldan 420 East St. NE Vienna, VA 22180	0.0002 1/480 of 0.09 acres	0.0002%	0.2278%
(a.2.1.1.4) Diana Lewis Starr 2555 Silver Oak Trail Marion, IA 52302	0.0002 1/480 of 0.09 acres	0.0002%	0.2278%
Total tract acres	0.0021		
Total tract percent	0.0026%		
Total tract acres	34.0721		
Total tract percent	42.5901%		

INSTRUMENT 170002289
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
October 31, 2017 AT 10:21 AM
BEVERLY S. TILLER, CLERK
RECORDED BY: CXE