

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

UNITWELL NAME: BB33

TRACT(S): 2

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-04-0817-1318-01

APPLICANTS:

CNX Gas Company LLC on behalf of Coal Mountain Mining 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 12/14/2004, Recorded on 12/15/2004, Deed Book/Instrument No. 608, Page 678.
2. Supplemental Order, Recorded on 07/26/2005, Deed Book/Instrument No. 621, Page 697.

NOTICE:

(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 2 identified in the attached petition.

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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:

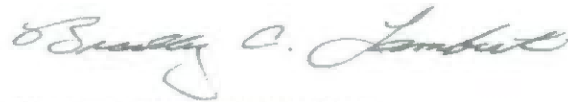
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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.

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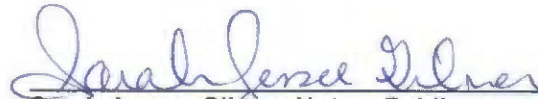
DONE AND EXECUTED this 20 day of August, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 20th day of August, 2015, 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

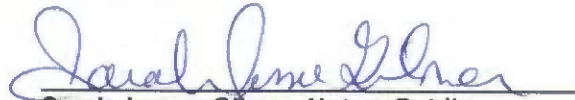
DONE AND PERFORMED this 25 day of August, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 25th day of August, 2015, 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 04-0817-1318-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2 (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: BB33**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 of Tract 2 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to the parties per House Bill 2058; Coal Mountain Mining 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

Coal Mountain Mining Company is entitled to 100% of the CBM royalties per House Bill 2058. Said bill 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 paid.

There are no remaining conflicts after the disbursement, escrow is no longer required and account is to be closed after disbursement.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

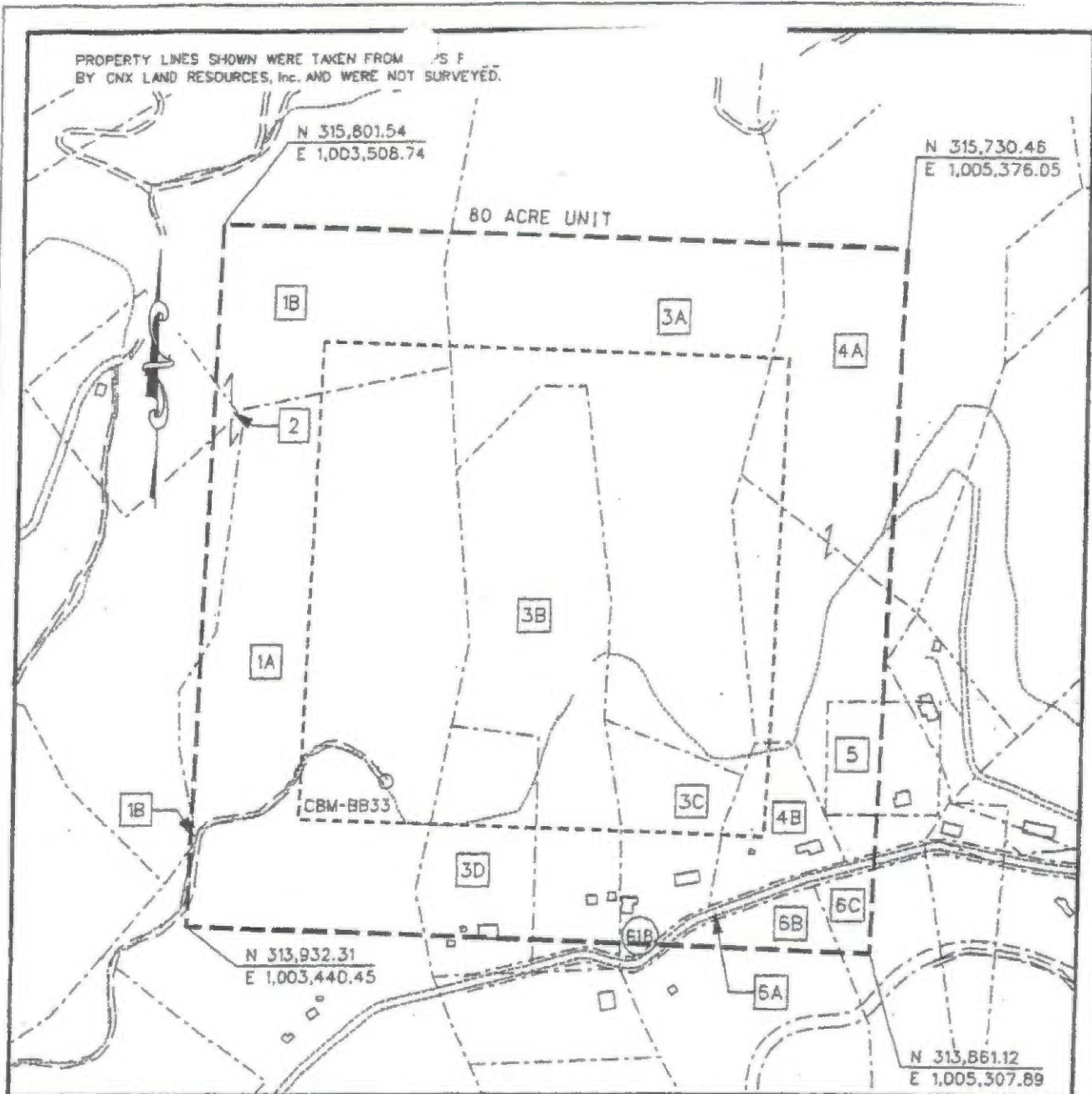


EXHIBIT
OAKWOOD FIELD
UNIT BB-33
FORCE POOLING
VGDB-04-0817-1318

Company CNX Gas Company LLC Well Name and Number UNIT BB33
Tract No. _____ Elevation _____ Quadrangle Keen Mountain
County Buchanan District Garden Scale: 1" = 400' Date 7/12/04
This plot is a new plot X ; an updated plot _____ ; or final plot _____

Form DGO-GD-7
Rev. 9/91

Charles D. My
Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC**UNIT BB-33****Tract Identifications**

1. 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
28.89 acres 36.1125%
- 1A. Jasper N. Keen Helrs – Surface
- 1B. Consolidation Coal Company - Surface
2. Consolidation Coal Company – Coal
Coal Mountain Mining Company Limited Partnership, L.L.P. – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Consolidation Coal Company - Surface
0.12 acres 0.1500%
3. Coal Mountain Mining Company Limited Tr. 30 – All Minerals
Consolidation Coal Company – Below Drainage Coal Leased
New Garden Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
34.17 acres 42.7125%
- 3A. Unknown Surface Owner
- 3B. Lula Davis, et al – Surface
- 3C. Unknown Surface Owner
- 3D. Unknown Surface Owner
4. Coal Mountain Mining Company Limited Tr. 31 – 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 Gas Leased
13.70 acres 17.1250%
- 4A. Thomas P. Stilwell – Surface
- 4B. Unknown Surface Owner
5. Thomas P. Stilwell, – Fee
0.99 acres 1.2375%

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CNX Gas Company LLC

UNIT BB-33

Tract Identifications

- 6. Coal Mountain Mining Company Limited Tr. 34 - 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 Gas Leased
2.13 acres 2.6625%
- 6A. Commonwealth of Virginia - Surface
- 6B. Consolidation Coal Company - Surface
- 6C. David E. Baldwin, et ux - Surface

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Exhibit E
Unit BB-33
Docket #VGOB 04-0817-1318-01
List of Respondents requiring escrow

Net Acres
in Unit

Interest in
Unit

Escrowing not required

Exhibit EE
Unit BB-33
Docket #VGOB 04-0817-1318-01
List of Respondents with Royalty Split Agreements or Court Orders

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	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2 - 0.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Consolidation Coal Company 1000 Consol Energy Drive Canonsburg, PA 15317-6506	0.12 acres	0.1500%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.29 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.12 acres	0.1500%	100.0000%

INSTRUMENT #150001422
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
SEPTEMBER 2, 2015 AT 09:45AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB