

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

UNITWELL NAME: BF100

TRACT(S):

1D, 1E, 1J, 1L

LOCATION:

BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-04-1214-1368-03

APPLICANTS:

CNX Gas Company LLC on behalf of Buchanan County, Carson D. Austin

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
August 18, 2015

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 06/15/2005, Recorded on 06/22/2005, Deed Book/Instrument No. 620, Page 214.
2. Supplemental Order, Recorded on 08/16/2006, Deed Book/Instrument No. 60002673.
3. Supplemental Order, Recorded on 10/26/2012, Deed Book/Instrument No. 120002473.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the August 18, 2015 hearing and considered whether to:

150001404

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

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1D, 1E, 1J, 1L 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:

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to of Tract (s) 1D, 1E, 1J, & 1L as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiff(s); Carson D. Austin; authorization to begin paying royalties directly to the parties to the House Bill 2058; Buchanan County

RELIEF GRANTED:

Unit BF100
VGOB Disbursement

VGOB-04-1214-1368-03

Table 1

Tracts: 1D, 1E, 1J, 1L

VGOB Disbursement Unit BF100							
VGOB-04-1214-1368-03							
Table 1							
Tracts: 1D, 1E, 1J, 1L							
Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds Disbursed
			In Tract	In Tract	Agreement	Disbursed	
		Total acreage in escrow before disbursement				36.79000	
1D Tract 1D (total acreage)			2.82				
1	1D	Carson D. Austin\1059 Austin Bison Ranch Rd., Honaker, VA 24260		2.8200	100.00%	2.8200	7.6651%
1E Tract 1E (total acreage)			17.20				
1	1E	Carson D. Austin\1059 Austin Bison Ranch Rd., Honaker, VA 24260		17.2000	100.00%	17.2000	46.7518%
1J Tract 1J (total acreage)			0.73				
1	1J	Buchanan County\P.O. Box 1056, Grundy, VA 24614		0.7300	100.00%	0.7300	1.9842%

1L Tract 1L (total acreage)		0.22				
1	1L Buchanan County\P.O. Box 1056, Grundy, VA 24614			0.2200	100.00%	0.2200
						0.5980%

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.

1500001404

150001404

DONE AND EXECUTED this 19 day of August, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 19 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

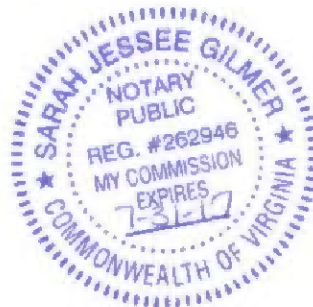
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 19th 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 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, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 04-1214-1368-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1D, 1E, 1J, 1L (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: August 18, 2015

DRILLING UNIT: BF100

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 Tracts 1D, 1E, 1J, & 1L as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Carson D. Austin; authorization to begin paying royalties directly to the parties to the House Bill 2058; Buchanan County Virginia.

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

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to of Tract(s) 1D, 1E, 1J, & 1L as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiff(s); Carson D. Austin; authorization to begin paying royalties directly to the parties to the House Bill 2058; Buchanan County

6. Attestation

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

150001404

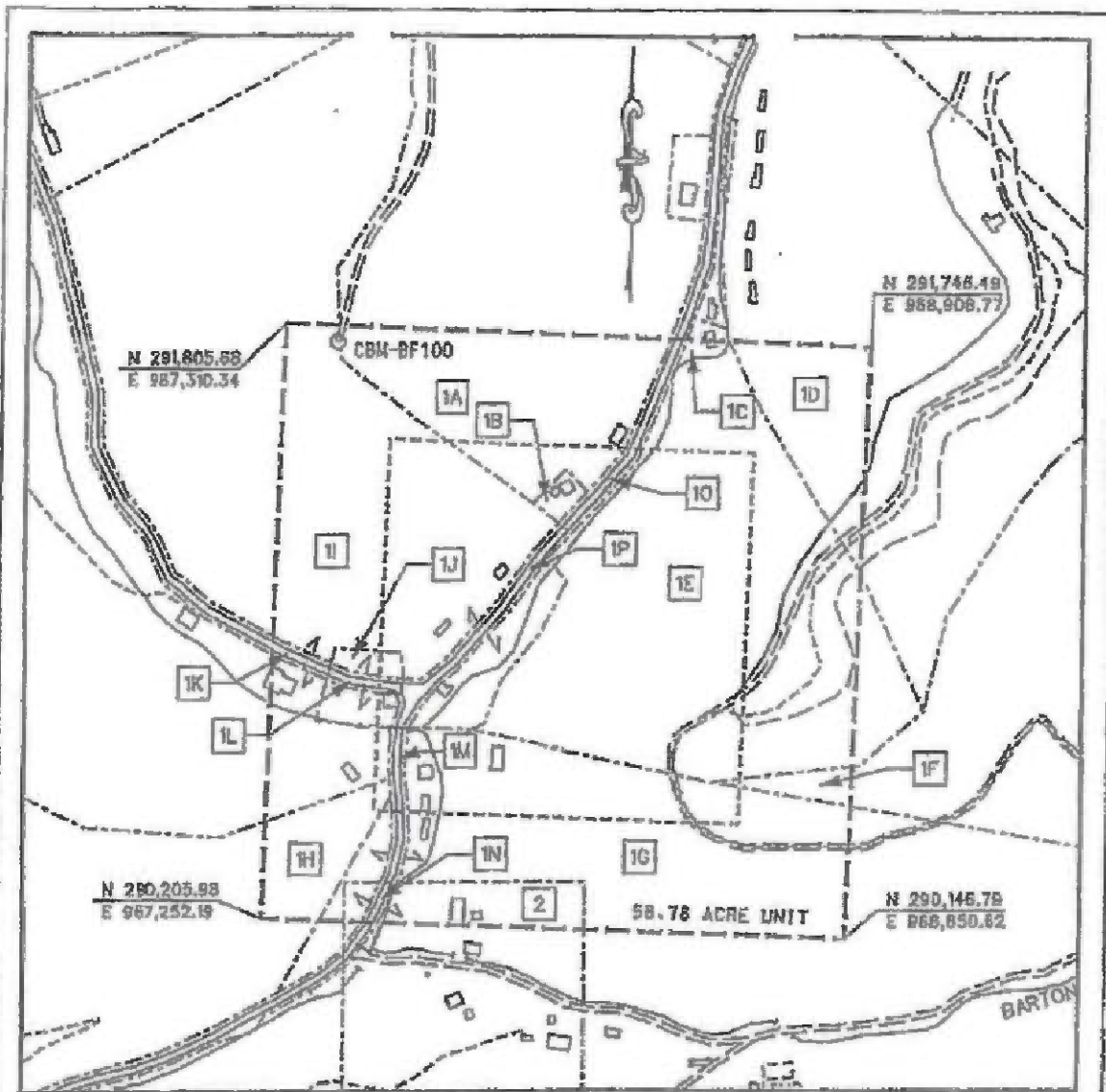
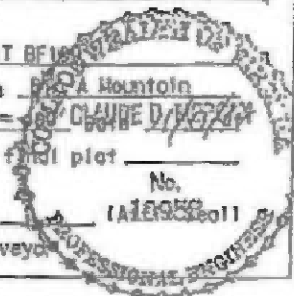


EXHIBIT A
NORA FIELD
UNIT BF-100
FORCE POOLING
VGOB-04-1214-1368

Company CNX Gas Company LLC Well Name and Number UNIT BF-100
Tract No. _____ Elevation _____ Quadrangle Big A Mountain
County Buchanan District Hurricane Scale: 1" = 400'
This plat is a new plat X ; on updated plat _____ ; or a final plat _____

Form DGB-60-7
Rev. 9/91

Charles D. May
Licensed Professional Engineer or Licensed Land Surveyor



Force Pooling of 100% CO₂ Leasing 1/1/08/2008 (11/21/10/AM)

CNX Gas Company LLC**UNIT BF-100**

Tract Identifications
(58.78 Acre Unit)

- 1A. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Emory James - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
6.07 acres 10.3286%
- 1B. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Stevie Dean Roten, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.28 acres 0.4253%
- 1C. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Arvli Miller, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.13 acres 0.2212%
- 1D. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Carson D. Austin - Surface and All Minerals except Coal
2.92 acres 4.7976%
- 1E. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Carson D. Austin - Surface and All Minerals except Coal
17.20 acres 29.2617%
- 1F. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Carson D. Austin OR Mary Leftwich Heirs - All Minerals except Coal
Carson D. Austin - Surface
0.47 acres 0.7996%
- 1G. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Carson D. Austin OR Mary Leftwich Heirs - All Minerals except Coal
Carson D. Austin - Surface
11.59 acres 19.7176%
- 1H. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) - Coal
CNX Gas Company LLC - CBM Leased
Mary Leftwich Heirs, et al - Surface and All Minerals except Coal (37.50%)
CNX Gas Company LLC - Surface and All Minerals except Coal (62.50%)
1.85 acres 3.1473%

CNX Gas Company LLC**UNIT BF-100**

Tract Identifications
(68.78 Acre Unit)

- 1I. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Hampton E. Austin, et ux -- Surface and All Minerals except Coal
 CNX Gas Company LLC -- Oil, Gas and CBM Leased
 13.69 acres 21.2902%
- 1J. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Buchanan County, Virginia -- All Minerals except Coal
 Carson D. Austin -- Surface
 0.73 acres 1.2418%
- 1K. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Hampton E. Austin, et ux OR Commonwealth of Virginia -- All Minerals except Coal
 CNX Gas Company LLC -- Oil, Gas and CBM Leased (if owned by Hampton E. Austin,
 et ux)
 Commonwealth of Virginia -- Surface
 0.18 acres 0.3062%
- 1L. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Carson D. Austin OR Commonwealth of Virginia -- All Minerals except Coal
 Commonwealth of Virginia -- Surface
 0.22 acres 0.3743%
- 1M. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Carson D. Austin OR Commonwealth of Virginia -- All Minerals except Coal
 Commonwealth of Virginia -- Surface
 0.42 acres 0.7145%
- 1N. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
 CNX Gas Company LLC -- CBM Leased
 Carson D. Austin OR Commonwealth of Virginia -- All Minerals except Coal
 Commonwealth of Virginia -- Surface
 0.11 acres 0.1871%

150001404

CNX Gas Company LLC

UNIT BF-100

**Tract Identifications
(58.78 Acre Unit)**

10. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
CNX Gas Company LLC -- CBM Leased
Hampton E. Austin, et ux OR Commonwealth of Virginia -- All Minerals except Coal
CNX Gas Company LLC -- Oil, Gas and CBM Leased (If owned by Hampton E. Austin,
et ux)
Commonwealth of Virginia -- Surface
0.82 acres 1.0548%
- 1P. Harrison-Wyatt, LLC (Big Axe Tr. 11-3) -- Coal
CNX Gas Company LLC -- CBM Leased
Hampton E. Austin, et ux OR Commonwealth of Virginia -- All Minerals except Coal
CNX Gas Company LLC -- Oil, Gas and CBM Leased (If owned by Hampton E. Austin,
et ux)
Commonwealth of Virginia -- Surface
0.76 acres 1.2830%
2. Carson Austin OR Mary Leffew Helms -- All Minerals
Carson D. Austin -- Surface
1.87 acres 2.8411%

Exhibit E
Unit BF-100
Docket #VG0B 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres In Unit	Percent of Unit
<u>Tract #1F - 0.47 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.47 acres	0.7996%
<u>OIL & GAS OWNERSHIP</u>		
(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	0.47 acres	0.7996%
- OR -		
(1) Mary (Minnie) Leftwich Heirs, Devisees, Successors or Assigns, et al.	0.47 acres	0.7996%
(a) Jacob/J.B. Harris Heirs, Devisees, Successors or Assigns		
(a.1) Barbara Compton 6210 Massaponax Church Rd. Fredericksburg, VA 22407	0.031 1/15 of 0.47 acres	0.05331%
(a.2) George B. Harris 11 Luzanne Circle San Anselmo, CA 94960	0.031 1/15 of 0.47 acres	0.05331%
(a.3) James B. Harris Heirs, Devisees, Successors or Assigns		
(a.3.1) Kathleen Harris 15320 Blackfield St Mojave, CA 93501-1908	0.010 1/45 of 0.47 acres	0.01777%
(a.3.2) Carolyn S. Harris Soliz <i>Address Unknown</i>	0.010 1/45 of 0.47 acres	0.01777%
(a.3.3) James Harris <i>Address Unknown</i>	0.010 1/45 of 0.47 acres	0.01777%
(b) Willie C. Harris Heirs, Devisees, Successors or Assigns		
(b.1) Billy Harris Box 38 Davenport, VA 24239	0.094 1/5 of 0.47 acres	0.15992%
(c) Mary Lena Garrison Heirs, Devisees, Successors or Assigns		
(c.1) Jim Herron 12651 Tunstall St. Garden Grove, CA 92845	0.094 1/5 of 0.47 acres	0.15992%

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
(d) Eula H. Fulcher Heirs, Devisees, Successors or Assigns		
(d.1) Billie Eldridge Heirs, Devisees, Successors or Assigns		
(d.1.1) James Eldridge 123B Azalea Ave. Brevard, NC 28712	0.024 1/20 of 0.47 acres	0.03998%
(d.1.2) Sandra Christine Murdock 123B Azalea Ave. Brevard, NC 28712	0.024 1/20 of 0.47 acres	0.03998%
(d.2) Gail Patricia Dunn Address Unknown	0.047 1/10 of 0.47 acres	0.07996%
(e) Clarence Harris Heirs, Devisees, Successors or Assigns		
(e.1) Jackie Harris PO Box 37 Rosedale, VA 24280	0.024 1/20 of 0.47 acres	0.03998%
(e.2) Don Harris Heirs, Devisees, Successors or Assigns		
(e.2.1) Ricky Harris Address Unknown	0.012 1/40 of 0.47 acres	0.01999%
(e.2.2) Donna Bush 1311 Main St, NW Lenore, NC 28645-3947	0.012 1/40 of 0.47 acres	0.01999%
(e.3) Clarence E. Harris, Jr. Address Unknown	0.024 1/20 of 0.47 acres	0.03998%
(e.4) Lois Ann Harris Barker Heirs, Devisees Successors or Assigns Heirs/Addresses Unknown	0.024 1/20 of 0.47 acres	0.03998%

Tract #1G - 11.59 acres

Escrow due to title conflict

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	11.59 acres	19.7176%
--	-------------	----------

OIL & GAS OWNERSHIP

(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	11.59 acres	19.7176%
--	-------------	----------

- OR -

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
(1) Mary (Minnie) Leftwich Heirs, Devisees, Successors or Assigns, et al.	11.59 acres	19.7176%
(a) Jacob/J.B. Harris Heirs, Devisees, Successors or Assigns		
(a.1) Barbara Compton 6210 Massaponax Church Rd. Fredericksburg, VA 22407	0.773 1/15 of 11.59 acres	1.31451%
(a.2) George B. Harris 11 Luzanne Circle San Anselmo, CA 94960	0.773 1/15 of 11.59 acres	1.31451%
(a.3) James B. Harris Heirs, Devisees, Successors or Assigns		
(a.3.1) Kathleen Harris 15320 Blackfield St Mojave, CA 93501-1908	0.258 1/45 of 11.59 acres	0.43817%
(a.3.2) Carolyn S. Harris Soliz Address Unknown	0.258 1/45 of 11.59 acres	0.43817%
(a.3.3) James Harris Address Unknown	0.258 1/45 of 11.59 acres	0.43817%
(b) Willie C. Harris Heirs, Devisees, Successors or Assigns		
(b.1) Billy Harris Box 38 Davenport, VA 24239	2.318 1/5 of 11.59 acres	3.94352%
(c) Mary Lena Garrison Heirs, Devisees, Successors or Assigns		
(c.1) Jim Herron 12651 Tunstall St. Garden Grove, CA 92845	2.318 1/5 of 11.59 acres	3.94352%
(d) Eula H. Fulcher Heirs, Devisees, Successors or Assigns		
(d.1) Billie Eldridge Heirs, Devisees, Successors or Assigns		
(d.1.1) James Eldridge 123B Azalea Ave. Brevard, NC 28712	0.580 1/20 of 11.59 acres	0.98588%
(d.1.2) Sandra Christine Murdock 123B Azalea Ave. Brevard, NC 28712	0.580 1/20 of 11.59 acres	0.98588%
(d.2) Gail Patricia Dunn Address Unknown	1.159 1/10 of 11.59 acres	1.97176%
(e) Clarence Harris Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
(e.1) Jackie Harris PO Box 37 Rosedale, VA 24280	0.580 1/20 of 11.59 acres	0.98588%
(e.2) Don Harris Heirs, Devisees, Successors or Assigns		
(e.2.1) Ricky Harris <i>Address Unknown</i>	0.290 1/40 of 11.59 acres	0.49294%
(e.2.2) Donna Bush 1311 Main St., NW Lenore, NC 28645-3947	0.290 1/40 of 11.59 acres	0.49294%
(e.3) Clarence E. Harris, Jr. <i>Address Unknown</i>	0.580 1/20 of 11.59 acres	0.98588%
(e.4) Lois Ann Harris Barker Heirs, Devisees Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.580 1/20 of 11.59 acres	0.98588%

Tract #1K - 0.18 acres

Escrow due to title conflict

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.18 acres	0.3062%
--	------------	---------

OIL & GAS OWNERSHIP

(1) Hampton E. Austin, et ux. 2615 Old Grissom Creek Rd. Honaker, VA 24260	0.18 acres	0.3062%
--	------------	---------

- OR -

(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd. Bristol, VA 24201	0.18 acres	0.3062%
---	------------	---------

Tract #1M - 0.42 acres

Escrow due to title conflict

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.42 acres	0.7145%
--	------------	---------

OIL & GAS OWNERSHIP

(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	0.42 acres	0.7145%
--	------------	---------

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd. Bristol, VA 24201	0.42 acres	0.7145%
<u>Tract #1N - 0.11 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.11 acres	0.1871%
<u>OIL & GAS OWNERSHIP</u>		
(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	0.11 acres	0.1871%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd. Bristol, VA 24201	0.11 acres	0.1871%
<u>Tract #1O - 0.62 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.62 acres	1.0548%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emory James 1173 Nance White Branch Rd. Honaker, VA 24260-5137	0.62 acres	1.0548%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd. Bristol, VA 24201	0.62 acres	1.0548%

Tract #1P - 0.76 acres

Escrow due to title conflict

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.76 acres	1.2930%
<u>OIL & GAS OWNERSHIP</u>		
(1) Hampton E. Austin, et ux. 2615 Old Grissom Creek Rd. Honaker, VA 24260	0.76 acres	1.2930%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd. Bristol, VA 24201	0.76 acres	1.2930%

Tract #2 - 1.67 acres

Escrow due to title conflict

COAL OWNERSHIP

(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	1.67 acres	2.8411%
- OR -		
(1) Mary (Minnie) Leftwich Heirs, Devisees, Successors or Assigns, et al.	1.67 acres	2.8411%
(a) Jacob/J.B. Harris Heirs, Devisees, Successors or Assigns		
(a.1) Barbara Compton 6210 Massaponax Church Rd. Fredericksburg, VA 22407	0.111 1/15 of 1.67 acres	0.18941%
(a.2) George B. Harris 11 Luzanne Circle San Anselmo, CA 94960	0.111 1/15 of 1.67 acres	0.18941%
(a.3) James B. Harris Heirs, Devisees, Successors or Assigns		
(a.3.1) Kathleen Harris 15320 Blackfield St Mojave, CA 93501-1908	0.037 1/45 of 1.67 acres	0.06314%
(a.3.2) Carolyn S. Harris Soliz <i>Address Unknown</i>	0.037 1/45 of 1.67 acres	0.06314%
(a.3.3) James Harris <i>Address Unknown</i>	0.037 1/45 of 1.67 acres	0.06314%
(b) Willie C. Harris Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
(b.1) Billy Harris Box 38 Davenport, VA 24239	0.334 1/5 of 1.67 acres	0.56822%
(c) Mary Lena Garrison Heirs, Devisees, Successors or Assigns		
(c.1) Jim Herron 12651 Tunstall St. Garden Grove, CA 92845	0.334 1/5 of 1.67 acres	0.56822%
(d) Eula H. Fulcher Heirs, Devisees, Successors or Assigns		
(d.1) Billie Eldridge Heirs, Devisees, Successors or Assigns		
(d.1.1) James Eldridge 123B Azalea Ave. Brevard, NC 28712	0.084 1/20 of 1.67 acres	0.14206%
(d.1.2) Sandra Christine Murdock 123B Azalea Ave. Brevard, NC 28712	0.084 1/20 of 1.67 acres	0.14206%
(d.2) Gail Patricia Dunn <i>Address Unknown</i>	0.167 1/10 of 1.67 acres	0.28411%
(e) Clarence Harris Heirs, Devisees, Successors or Assigns		
(e.1) Jackie Harris PO Box 37 Rosedale, VA 24280	0.084 1/20 of 1.67 acres	0.14206%
(e.2) Don Harris Heirs, Devisees, Successors or Assigns		
(e.2.1) Ricky Harris <i>Address Unknown</i>	0.042 1/40 of 1.67 acres	0.07103%
(e.2.2) Donna Bush 1311 Main St., NW Lenore, NC 28645-3947	0.042 1/40 of 1.67 acres	0.07103%
(e.3) Clarence E. Harris, Jr. <i>Address Unknown</i>	0.084 1/20 of 1.67 acres	0.14206%
(e.4) Lois Ann Harris Barker Heirs, Devisees Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.084 1/20 of 1.67 acres	0.14206%
<u>OIL & GAS OWNERSHIP</u>		
(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	1.67 acres	2.8411%

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
- OR -		
(1) Mary (Minnie) Leftwich Heirs, Devisees, Successors or Assigns, et al.	1.67 acres	2.8411%
(a) Jacob/J.B. Harris Heirs, Devisees, Successors or Assigns		
(a.1) Barbara Compton 6210 Massaponax Church Rd. Fredericksburg, VA 22407	0.111 1/15 of 1.67 acres	0.18941%
(a.2) George B. Harris 11 Luzanne Circle San Anselmo, CA 94960	0.111 1/15 of 1.67 acres	0.18941%
(a.3) James B. Harris Heirs, Devisees, Successors or Assigns		
(a.3.1) Kathleen Harris 15320 Blackfield St Mojave, CA 93501-1908	0.037 1/45 of 1.67 acres	0.06314%
(a.3.2) Carolyn S. Harris Soliz Address Unknown	0.037 1/45 of 1.67 acres	0.06314%
(a.3.3) James Harris Address Unknown	0.037 1/45 of 1.67 acres	0.06314%
(b) Willie C. Harris Heirs, Devisees, Successors or Assigns		
(b.1) Billy Harris Box 38 Davenport, VA 24239	0.334 1/5 of 1.67 acres	0.56822%
(c) Mary Lena Garrison Heirs, Devisees, Successors or Assigns		
(c.1) Jim Herron 12851 Tunstall St Garden Grove, CA 92845	0.334 1/5 of 1.67 acres	0.56822%
(d) Eula H. Fulcher Heirs, Devisees, Successors or Assigns		
(d.1) Billie Eldridge Heirs, Devisees, Successors or Assigns		
(d.1.1) James Eldridge 123B Azalea Ave. Brevard, NC 28712	0.084 1/20 of 1.67 acres	0.14206%
(d.1.2) Sandra Christine Murdock 123B Azalea Ave. Brevard, NC 28712	0.084 1/20 of 1.67 acres	0.14206%
(d.2) Gail Patricia Dunn Address Unknown	0.167 1/10 of 1.67 acres	0.28411%

Exhibit E
Unit BF-100
Docket #VGOB 04-1214-1368-03
List of Respondents that require escrow

150001404

	Acres in Unit	Percent of Unit
(e) Clarence Harris Heirs, Devisees, Successors or Assigns		
(e.1) Jackie Harris PO Box 37 Rosedale, VA 24280	0.084 1/20 of 1.67 acres	0.14206%
(e.2) Don Harris Heirs, Devisees, Successors or Assigns		
(e.2.1) Ricky Harris <i>Address Unknown</i>	0.042 1/40 of 1.67 acres	0.07103%
(e.2.2) Donna Bush 1311 Main St., NW Lenore, NC 28645-3947	0.042 1/40 of 1.67 acres	0.07103%
(e.3) Clarence E. Harris, Jr. <i>Address Unknown</i>	0.084 1/20 of 1.67 acres	0.14206%
(e.4) Lois Ann Harris Barker Heirs, Devisees Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.084 1/20 of 1.67 acres	0.14206%
	Total Acreage in Unit	15.8200
	Total Percentage in Unit	26.9139%

150001404

Exhibit EE
Unit BF-100

Docket #VGOB 04-1214-1368-03

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1D - 2.82 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	2.82 acres	4.7976%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	2.82 acres	4.7976%	7.6651%
<i>Prevailing plaintiff under Case No. CL12000388 Awarded 100% of the CBM royalty.</i>			
<u>Tract #1E - 17.20 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	17.20 acres	29.2617%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Carson D. Austin 1059 Austin Bison Ranch Rd. Honaker, VA 24260	17.20 acres	29.2617%	46.7518%
<i>Prevailing plaintiff under Case No. CL12000388 Awarded 100% of the CBM royalty.</i>			
<u>Tract #1J - 0.73 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.73 acres	1.2419%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Buchanan County P.O. Box 1056 Grundy, VA 24614	0.73 acres	1.2419%	1.9842%
<i>HB2058 Escrow Release</i>			
<u>Tract #1L - 0.22 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.11-3) P.O. Box 11000 Danville, VA 24543	0.22 acres	0.3743%	n/a

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Buchanan County P.O. Box 1056 Grundy, VA 24614	0.22 acres	0.3743%	0.5980%
<i>HB2058 Escrow Release</i>			
	Total Acreage Resolved	20.9700	
	Total Percentage Resolved		35.6754%

CARSON AUSTIN,

Plaintiff

v.

HARRISON-WYATT, LLC, ET AL.

Defendant

150001404

Case No. CL12000388

FINAL ORDER ENTERING JUDGMENT

This cause came to be heard upon the First Amended Motion for Judgment of Defendant, Harrison-Wyatt, LLC, for entry of judgment pertaining to the coal-bed methane gas within the following tracts and the below named and described units that have been permitted pursuant to the Virginia Gas and Oil Act, Va. Code Ann. § 45.1-361.1 et seq.:

- a. From Unit BG-98, Forced Pooling Supplemental Order, Entered March 29, 2013, Regarding Docket No. VGOB-06-0919-1714, Tract 1(B) of Exhibit A (pg. 6) to the order, 16.34 acres; and,

- b. From Unit BG-99, Forced Pooling Supplemental Order, Entered July 14, 2011, Regarding Docket No. VGOB-07-0320-1898, Tract 1(C) of Exhibit A (pg. 6) to the order, 32.54 acres; and,
- c. From Unit BG-99, Forced Pooling Supplemental Order, Entered July 14, 2011, Regarding Docket No. VGOB-07-0320-1898, Tract 1(D) of Exhibit A (pg. 6) to the order, 4.23 acres; and,
- d. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(D) of Exhibit A (Inst. No. 120002473) to the order, 2.82 acres; and,
- e. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(E) of Exhibit A (Inst. No. 120002473) to the order, 17.20 acres; and,
- f. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(F) of Exhibit A (Inst. No. 120002473) to the order, 0.47 acres; and,
- g. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(G) of Exhibit A (Inst. No. 120002473) to the order, 11.59 acres; and,
- h. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(L) of Exhibit A (Inst. No. 120002473) to the order, 0.22 acres; and,

- i. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(M) of Exhibit A (Inst. No. 120002473) to the order, 0.42 acres; and,
- j. From Unit BF100, Forced Pooling Supplemental Order, Entered August 15, 2012, Regarding Docket No. VGOB-04-1214-1368, Tract 1(N) of Exhibit A (Inst. No. 120002473) to the order, 0.11 acres; and,
- k. From Unit BE101, Forced Pooling Supplemental Order, Entered February 18, 2003, Regarding Docket No. VGOB-02-0618-1032, Tract 2 of Exhibit A (bk 563, Pg 314) to the order, 9.11 acres.
- l. From Unit BF101, Forced Pooling Supplemental Order, Entered August 27, 2012, Regarding Docket No. VGOB-05-1018-1507, Tract 2A of Exhibit A (Inst. No. 120002475) (Pg 5) to the order, 6.84 acres.
- m. From Unit BF101, Forced Pooling Supplemental Order, Entered August 27, 2012, Regarding Docket No. VGOB-05-1018-1507, Tract 2B of Exhibit A (Inst. No. 120002475) (Pg 5) to the order, 31.42 acres.
- n. From Unit BF101, Forced Pooling Supplemental Order, Entered August 27, 2012, Regarding Docket No. VGOB-05-1018-1507, Tract 2C of Exhibit A (Inst. No. 120002475) (Pg 5) to the order, 1.13 acres.
- o. From Unit BF101, Forced Pooling Supplemental Order, Entered August 27, 2012, Regarding Docket No. VGOB-05-1018-1507, Tract 2D of Exhibit A (Inst. No. 120002475) (Pg 5) to the order, 8.89 acres.

The above described tracts within the named units are referred to in this Order as the ("Subject Properties").

And, it appearing to the court from Defendant's First Amended Motion for Judgment that Defendant Harrison-Wyatt is the coal owner of the Subject Properties and seeks to disclaim certain interests in and to the CBM, but that the Plaintiff's title is not proved as to the Subject Properties.

Now therefore, it is **Adjudged, Ordered and Decreed** that upon Defendant Harrison-Wyatt's First Amended Motion for Judgment on file herein, that the Defendant, Harrison-Wyatt, LLC has disclaimed any interest in and to the CBM and accordingly is not entitled to any royalties relating to the extraction of coal-bed methane gas by CNX Gas, LLC from the Subject Properties listed as items a. through e. and items k, n. and o. listed above, and that it is not a conflicting claimant to the ownership of the CBM or the production royalties as identified in submissions made to, and orders entered by, the Virginia Gas and Oil Board with respect to the Subject Properties listed as a. through e. above, and items k, n. and o. listed above, therefore this Order is final as to Harrison-Wyatt and the Subject Properties listed as items a. through e. above, and items k, n. and o. listed above.

It is further; **Adjudged, Ordered and Decreed** that the Defendant, Harrison-Wyatt, LLC has disclaimed any interest in and to the CBM and accordingly is not entitled to any royalties relating to the extraction of coal-bed methane gas by CNX Gas, LLC from the Subject Properties listed as items f., g., h., i. and j. above, and that it is not a conflicting claimant to the ownership of

Thomas Wright

SEEN:


Counsel for Plaintiffs, T. SHEA COO

INSTRUMENT #150001404
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 26, 2015 AT 03:49PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB