

**VIRGINIA LAND RECORD COVER SHEET
FORM A - COVER SHEET CONTENT**

Instrument Date: 1/26/2017
Instrument Type: ODU
Number of Parcels: 0 Number of Pages: 14
 City County

RUSSELL

TAX EXEMPT? VIRGINIA/FEDERAL LAW
 Grantor: VIRGINIA GAS & OIL BOARD
 Grantee: CNX GAS COMPANY, LLC
Consideration: \$0.00
Existing Debt: \$0.00
Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00
Fair Market Value Increase: \$0.00

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(Area Above Reserved For Deed Stamp Only)

Original Book Number: 805 Original Page Number: 77 Original Instrument Number: _____

Prior Recording At: City County

Percentage In This Jurisdiction: _____

BUSINESS / NAME

1 Grantor: VIRGINIA GAS & OIL BOARD

Grantor: _____

1 Grantee: CNX GAS COMPANY, LLC

2 Grantee: SWORDS CREEK LAND PARTNERSHIP

GRANTEE ADDRESS

Name: CNX GAS COMPANY, LLC

Address: 1000 CONSOL ENERGY DRIVE

City: CANNONSBURG

State: PA Zip Code: 15317-6506

Book Number: _____ Page Number: _____ Instrument Number: _____

Parcel Identification Number (PIN): _____ Tax Map Number: _____

Short Property Description: _____

Current Property Address: _____

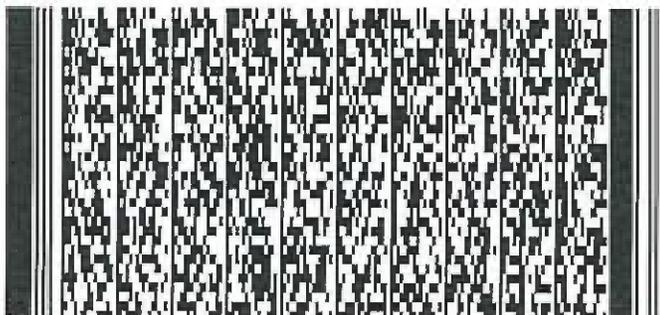
City: _____ State: _____ Zip Code: _____

Instrument Prepared By: VIRGINIA GAS & OIL BOARD Recording Paid By: DMME

Recording Returned To: DMME - DIVISION OF GAS AND OIL

Address: P. O. DRAWER 159

City: LEBANON State: VA Zip Code: 24266



VIRGINIA LAND RECORD COVER SHEET
FORM B - ADDITIONAL GRANTORS/GRANTEES

Instrument Date: 1/26/2017

Instrument Type: ODU

Number of Parcels: 0 Number of Pages: 14

City County
RUSSELL

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(Area Above Reserved For Deed Stamp Only)

GRANTOR BUSINESS / NAME

- Grantor: _____

GRANTEE BUSINESS / NAME

- 3 Grantee: TUCKER, DANIEL RAY
- 4 Grantee: TUCKER, REBECCA
- Grantee: _____





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: BE121

TRACT(S): 1D

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-05-0419-1427-03

APPLICANTS:

CNX Gas Company LLC on behalf of Daniel Ray & Rebecca Tucker, Swords Creek Land Partnership

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
October 25, 2016 and January 17, 2017

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 07/21/2005, Recorded on 07/25/2005, Deed Book/Instrument No. 635, Page 684.
2. Supplemental Order, Recorded on 01/28/2008, Deed Book/Instrument No. 684, Page 734.
3. Disbursement Order -01 Executed 02/20/2016, Recorded on 02/29/2016, Deed Book/Instrument No. 799, Page 091.
4. Disbursement Order -02 Executed 06/27/2016, Recorded on 07/08/2016, Deed Book/Instrument No. 805, Page 77.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the October 25, 2016 hearing and was continued to January 17, 2017 where the Board considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 1D identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1D relative to the interests of the Applicants identified in the attached petition.
- (3) Close 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:

Swords Creek Land Partnership and Daniel Ray Tucker and Rebecca Tucker (previously Alice Albert) have entered into royalty split 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.

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 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.

DONE AND EXECUTED this 18 day of January, 2017 by a majority of the Virginia Gas and Oil Board.

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Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 18th day of January, 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, 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 19 day of January, 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 19th day of January, 2017, 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 05-0419-1427-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1D (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: October 18, 2016

DRILLING UNIT: BE121

RUSSELL 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 Tract 1D, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Swords Creek Land Partnership and Daniel Ray Tucker and Rebecca Tucker (previously Alice Albert).

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

Swords Creek Land Partnership and Daniel Ray Tucker and Rebecca Tucker (previously Alice Albert) have entered into royalty split 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.

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.

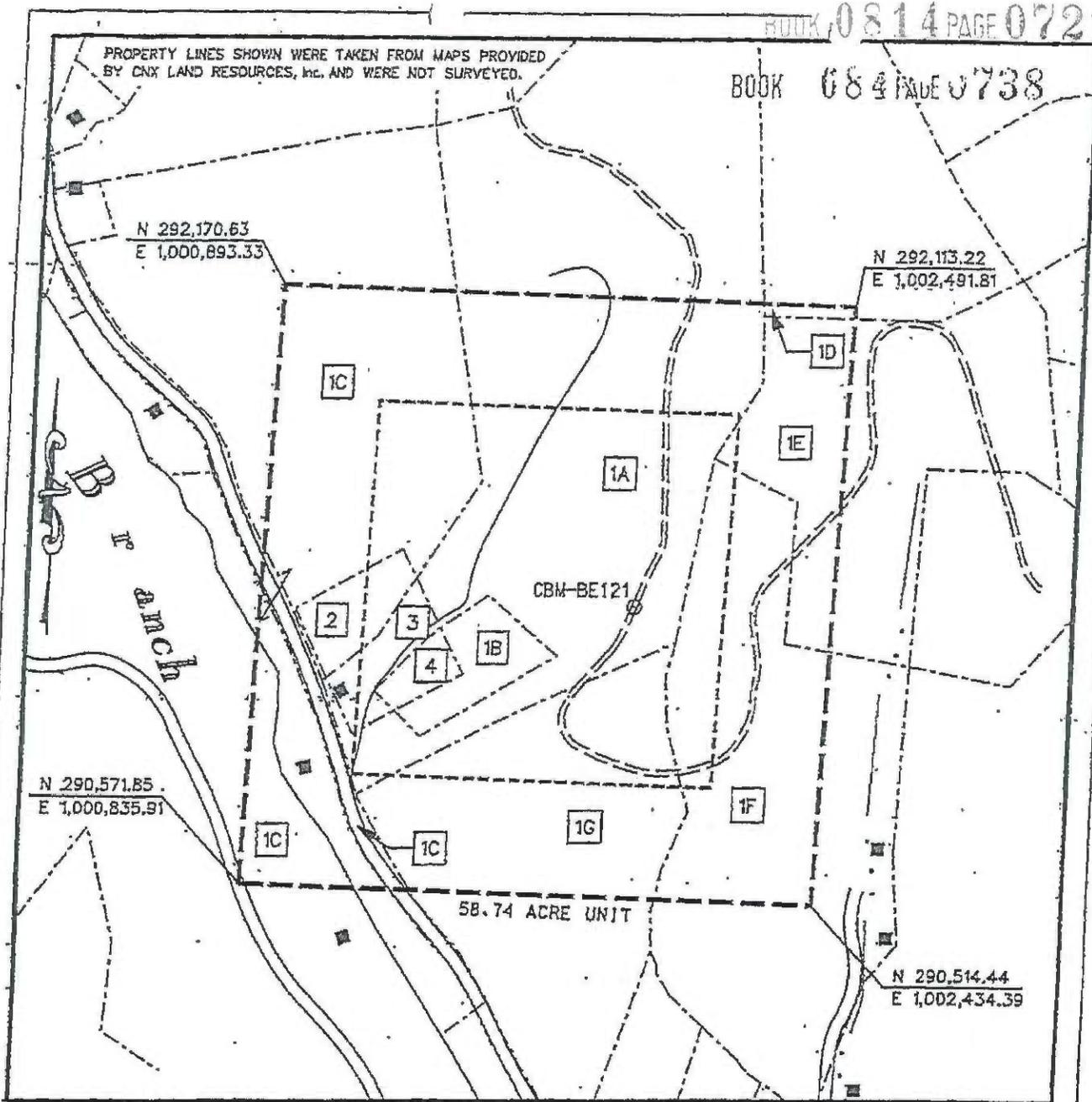


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT BE-121
 FORCE POOLING
 VGOB-05-0419-1427

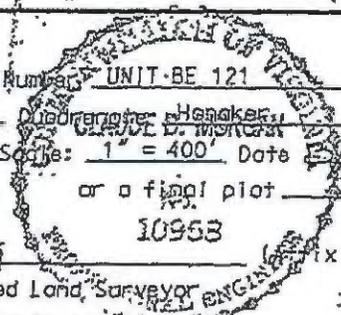
Company CNX Gas Company LLC Well Name and Number UNIT-BE 121

Tract No. _____ Elevation _____ Diameter Hencken

County Russell District New Garden Scale: 1" = 400' Date 8/11/09

This plot is a new plot : an updated plot _____ or a final plot _____

Form DGO-60-7 Charles D. Meyer 10953 (x Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor



Force Pooling BE121 POOL.dgn 03/10/2005 11:26:28 AM

CNX Gas Company LLC**Unit BE-121****Tract Identifications****(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Robert Hale, II - Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
17.18 acres 29.2475%
- 1B. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
David M. Saunders, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
1.53 acres 2.6047%
- 1C. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Samuel L. Breedlove, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
14.38 acres 24.4808%
- 1D. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Ruth Byrd, et al. - Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
0.19 acres 0.3235%
- 1E. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Ruby Barton - Surface and All Minerals except Coal
4.15 acres 7.0650%

CNX Gas Company LLC

Unit BE-121

Tract Identifications

(58.74 Acre Unit)

- 1F. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Betty Dye, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
9.33 acres 15.8836%
- 1G. Swords Creek Land Partnership Tr. 13 (574.58 Acre Tract) - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Sam D. Ray, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
9.01 acres 15.3388%
2. Samuel L. Bredlove, et al - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
1.28 acres 2.1961%
3. Robert E. Hale, II - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
1.11 acres 1.8897%
4. David M. Saunders, et ux - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.57 acres 0.9704%

Exhibit E
Unit BE-121
Docket #VGOB 05-0419-1427-03
List of Respondents that require escrow
(58.74 Acre Unit)

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Acres in Unit	interest in Unit
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Escrowing no longer required

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 #1A, 17.18 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	17.18 acres	29.2475%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Robert Hale, II, et al.	17.18 acres	29.2475%	.
(a) Robert Hale, II 4693 Cedar Cliff Rd Honaker, VA 24260	17.18 acres	29.2475%	n/a
<u>Tract #1B, 1.53 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.53 acres	2.6047%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) David M. Saunders, et ux.	<i>Conveyed 3/20/2009 DB 703/580</i>		
(a) Virginia Resources, LLC PO Box 1320 Honaker, VA 24260	1.53 acres	2.6047%	n/a
<u>Tract #1C, 14.38 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	14.38 acres	24.4808%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Samuel L. Breedlove, et al.	14.38 acres	24.4808%	
(a) Samuel L. Breedlove 956 State Rt. 314 Mansfield, OH 44903	12.326 acres 6/7 of 14.38 acres	20.9835%	n/a
(b) Herbert J. Breedlove Heirs, Devisees, Successors or Assigns			
(b.1) Warren H. Breedlove	2.054 acres	3.4973%	n/a

List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
137 Hillcrest Street Jonesville, NC 28642-2513	1/7 of 14.38 acres		
<u>Tract #1D, 0.19 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.19 acres	0.3235%	50.0000%
<u>OIL & GAS OWNERSHIP</u>			
(1) Ruth Byrd, et al.	0.19 acres	0.3235%	
(a) (Ada) Ruth Byrd	<i>Conveyed 12/26/03 DB 701/672</i>		
(a.1) Daniel Ray Tucker 1029 Pine Creek Road Swords Creek, VA 24649	0.038 acres 1/5 of 0.19 acres	0.0647%	n/a
(b) Virginia Spiva	<i>Conveyed 12/28/11 DB 743/560</i>		
(b.1) Virginia Resources, LLC PO Box 1320 Honaker, VA 24260	0.038 acres 1/5 of 0.19 acres	0.0647%	n/a
(c) Alice Albert	<i>Conveyed 12/21/98 DB 485/728</i>		
(c.1) Daniel Ray & Rebecca Tucker, T/E 1029 Pine Creek Road Swords Creek, VA 24649	0.038 acres 1/5 of 0.19 acres	0.0647%	50.0000%
(d) Daniel L. Keen	<i>Conveyed 12/28/11 DB 743/560</i>		
(d.1) Virginia Resources, LLC PO Box 1320 Honaker, VA 24260	0.038 acres 1/5 of 0.19 acres	0.0647%	n/a
(e) Victoria Slate Heirs, Devisees, Successors or Assigns			
(e.1) Raymond P. Slate 1829 Lynn Springs Rd. Swords Creek, VA 24649	0.010 acres 1/20 of 0.19 acres	0.0162%	n/a
(e.2) Jeffery W. Slate PO Box 33 Swords Creek, VA 24649-0033	0.010 acres 1/20 of 0.19 acres	0.0162%	n/a
(e.3) Jackie Dale Slate Keen Mountain Correctional Center PO Box 860/B-138	0.010 acres 1/20 of 0.19 acres	0.0162%	n/a

List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
Oakwood, VA 24631			
(e.4) Sheila Slate Lofton HC 69, Box 1828 White Sulphur Springs, WV 24984	0.010 acres 1/20 of 0.19 acres	0.0162%	n/a
<u>Tract #1E, 4.15 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	4.15 acres	7.0650%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Ruby G. Barton			<i>Kevin D. Tiller, Special Commissioner on behalf of Ruby G. E by Deed dated April 13, 2005 and recorded in Deed Book 62:</i>
(a) Terry & Kathy Casey (T/E) 1746 Lynn Springs Road Swords Creek, VA 24649	4.15 acres	7.0650%	n/a
<u>Tract #1F, 9.33 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	9.33 acres	15.8836%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Betty Dye, et al.	9.33 acres	15.8836%	
(a) Betty R. Dye Rt.1 Box 692 Swords Creek, VA 24649	1.866 acres 1/5 of 9.33 acres	3.1767%	n/a
(b) Harold Dye 309 Bower Avenue Richlands, VA 24641	1.866 acres 1/5 of 9.33 acres	3.1767%	n/a
(c) Betty Monroe Heirs, Devisees, Successors or Assigns			
(c.1) Janie Carolyn Park PO Box 5751 West Columbia, SC 29171-5751	0.933 acres 1/10 of 9.33 acres	1.5884%	n/a
(c.2) Rhonda Breedlove Heirs, Devisees, Successors or Assigns			

List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
(c.2.1) Cassandra Mason 370 22nd Ave NW Naples, FL 34120-2321	0.467 acres 1/20 of 9.33 acres	0.7942%	n/a
(c.2.2) Jennifer Bumgarner 3180 Greenwood Drive West Columbia, SC 29170-4219	0.467 acres 1/20 of 9.33 acres	0.7942%	n/a
(d) Edith Trueblood Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	1.866 acres 1/5 of 9.33 acres	3.1767%	n/a
(e) Ershel Dye Heirs, Devisees, Successors or Assigns			
(e.1) Louise Dye 297 Beasley Road Lynchburg, VA 24501	1.866 acres 1/5 of 9.33 acres	3.1767%	n/a

Tract #1G, 9.01 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	9.01 acres	15.3388%	n/a
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OIL & GAS OWNERSHIP

(1) Sam D. Ray, et al.			
(a) Samuel D. Ray Heirs, Devisees, Successors or Assigns			
(a.1) Anita Ray 505 Brighton Way Castleberry, FL 32707	9.01 acres	15.3388%	n/a

Total Acreage in Unit 55.7700
Total Percentage of Unit 94.9438%

1700212

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 1-31, 2017, This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:37 o'clock A.M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: DMME

TESTE: ANN S. McREYNOLDS, CLERK
BY: Jennifer Kudlich D. CLERK