

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)

UNITWELL NAME: W8

TRACT(S): 1C, 3B, 3E, 3F, 999

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-0816-1490-01

APPLICANTS:

CNX Gas Company LLC on behalf of CNX Gas Company LLC, Harrison-Wyatt LLC, Janet &
Lonnie Brown

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia ☐
December 16, 2014

APPEARANCES:

Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 02/02/2006, Recorded on 02/07/2006, Deed Book/Instrument No.
06-0000397.
2. Supplemental Order Executed 03/20/2008, Recorded on 03/27/2008, Deed Book/Instrument No.
080001200.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the
December 16, 2014 hearing and considered whether to:

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Table 2 (pay percentage on balance after deducting the above balance)
Tracts: 1C, 3B, 3E, 3F, 999

Page Number 3.

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 19 day of December, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

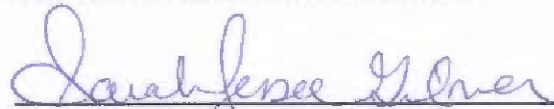
DONE AND PERFORMED this 19 day of December, 2014 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 19th day of December, 2014, 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 05-0816-1490-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ☐
ESCROW REGARDING TRACT(S) 1C, 3B, 3E, 3F,
999 ☐

HEARING DATE: December 16, 2014

(2) AND AUTHORIZATION FOR DIRECT ☐
PAYMENT OF ROYALTIES

DRILLING UNIT: W8

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd, Bluefield, WV 24701, (304)323-6500. Petitioner's counsel is Mark A. Swartz, Swartz Law Offices, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808..

2. Relief Sought

(1) Reimbursement of funds incorrectly deposited for the production period of 11/2007 to 5/2008 with the Board's Escrow Agent attributable to unit W8 to CNX Gas Company LLC. (2) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 1C, 3B, 3E, & 3F as depicted upon the annexed Table; Royalties currently paid under VP8SGU5, VGOB 07-1113-2083.

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

This unit was incorporated into the VP8SGU5 sealed gob area approved under docket #VGOB 07-1113-2083, effective November 13, 2007. Payments to the individual Unit W8 account should have stopped. The operator continued paying into the account through May 2008 production, resulting in an overpayment of \$136,994.70; Harrison-Wyatt L.L.C and Janet Brown and Lonnie Brown T/E; Harrison-Wyatt L.L.C and CNX Gas Company LLC have entered into a 50/50 CBM deed. Said deed 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

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

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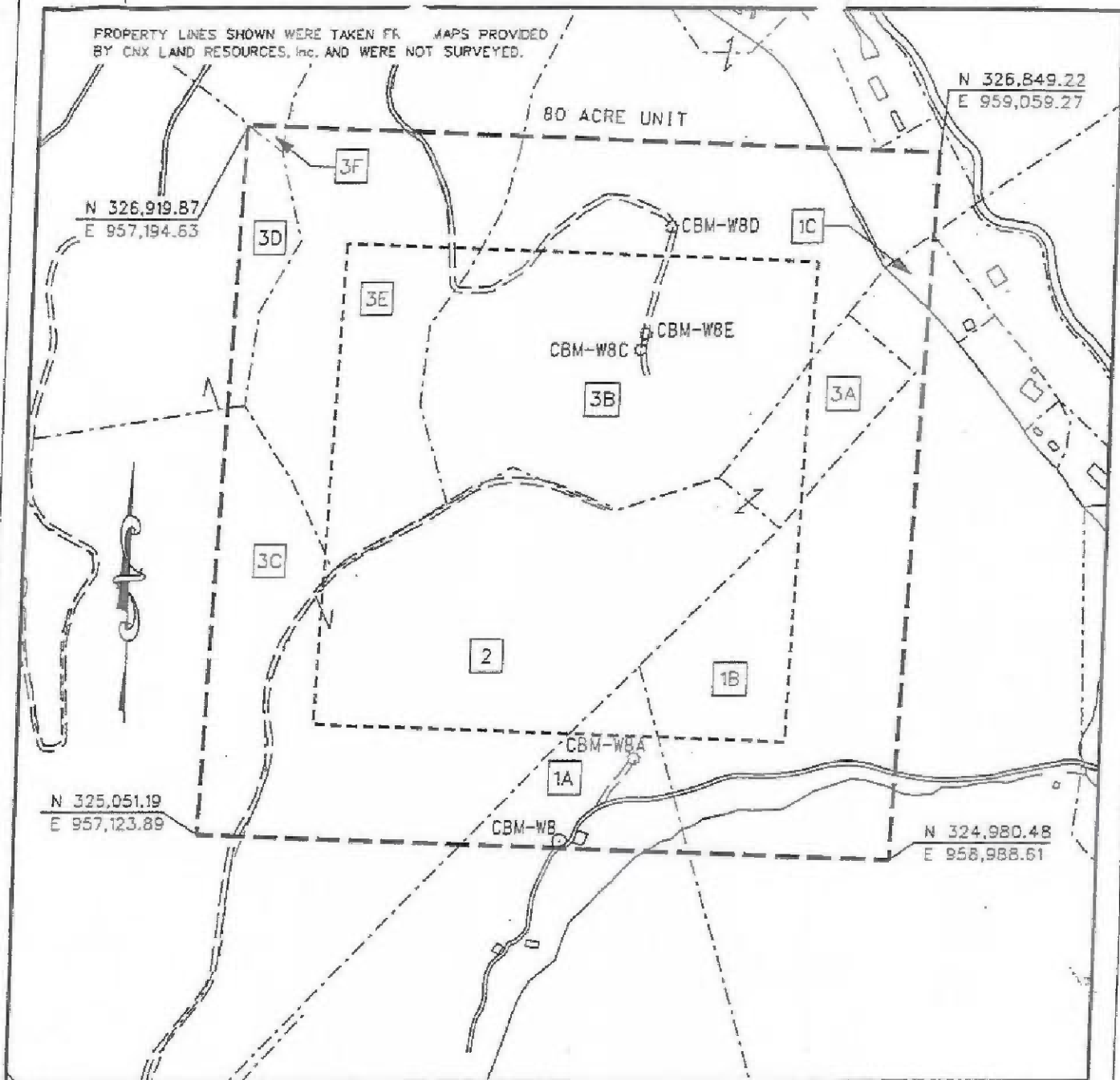
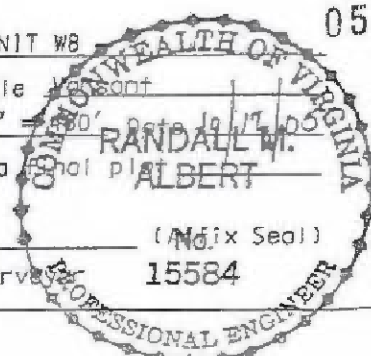


EXHIBIT A
OAKWOOD FIELD
UNIT W-8
FORCE POOLING
VGOB-05-0816-1490

Company CNX Gas Company LLC Well Name and Number UNIT W8
 Tract No. _____ Elevation _____ Quadrangle Versant
 County Buchanan District Proter Scale: 1" = 400'
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-CO-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

UNIT W8

Tract Identifications

- 1A. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 CNX Gas Company LLC - All Minerals except Coal
 Consolidation Coal Company - Surface
 3.40 acres 4.2500%
- 1B. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Buchanan County - Surface and All Minerals except Coal
 14.00 acres 17.5000%
- 1C. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Gladys Price - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Lease (Doc# 300008)
 0.29 acres 0.3625%
2. T. R. Mullins, et al - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Bobby H. C. Jackson, et al - Surface and All Minerals except Coal
 18.94 acres 23.6750%
- 3A. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Bobby H. C. Jackson, et al - Surface and All Minerals except Coal
 2.82 acres 3.5250%
- 3B. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Island Creek Coal Company/Consol Energy, Inc. - Surface and All Minerals except Coal
 21.58 acres 26.9750%

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CNX Gas Company LLC

UNIT W8

Tract Identifications

- 3C. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Bobby H. C. Jackson, et al - Surface and All Minerals except Coal
5.04 acres 6.3000%
- 3D. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Bobby H. C. Jackson, et al - Surface and All Minerals except Coal
1.63 acres 2.0375%
- 3E. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Island Creek Coal Company/Consol Energy, Inc. - Surface and All Minerals except Coal
12.22 acres 15.2750%
- 3F. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Island Creek Coal Company/Consol Energy, Inc. - Surface and All Minerals except Coal
0.08 acres 0.1000%

VGOB Disbursement
Unit W8

VGOB-05-0816-1490-01

Table 1 (pay exact dollar amount based on account balance of)
1C, 3B, 3E, 3F, 999

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty		Escrowed		Percent of		Disbursement
			in Tract	in Tract	Ownership	Split	Agreement	Disbursed	Acres	Disbursed	Escrowed Funds	Disbursed	
		Total acreage in escrow before disbursement						1.00000					
999 Tract 999 (total acreage)			1.00										
1	999	CNX Gas Company LLC\2481 John Nash Blvd., Bluefield, WV 24701	1/1	1.0000	1.0000	100.00%		1.0000		100.0000 %			\$138,994.70

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Unit v8

VG0B-05-0816-1490-01

Table 2 (pay percentage on balance after deducting the above balance)

1C, 3B, 3E, 3F, 999

[illegible]

Wells contributing to the escrow account: CBM W8 W/PL, CBM W8C W/PL, CBM W8A W/PL, CBM W8E W/PL, CBM W8D W/PL

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Exhibit E
Unit W-8
Docket #VGOB 05-0816-1490-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 80.9038%
<u>Tract #1B, 14.00 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC OXY Tr 27 / Big Axe Tr 13 (200.00 acre tract) P.O. Box 11000 Danville, VA 24543	14.00 acres	17.5000%	14.1582%
<u>OIL & GAS OWNERSHIP</u>			
(1) Buchanan County, VA (p/o 88.00 acre SOG tract) P.O. Box 950 Grundy, VA 24614	14.00 acres	17.5000%	14.1582%
<u>Tract #2, 18.94 Acres</u>			
<u>COAL OWNERSHIP</u>			
Geo. W. Mullins Heirs, Devisees, Successors or Assigns (39.00 acre Coal tract - WB 3/356)			
T.R. Mullins, et al.	18.94 acres	23.6750%	19.1540%
(1) Theodore A. Mullins, Sr. Heirs, Devisees, Successors or Assigns (1/3)	<i>Died Intestate</i>		
(a) Mildred C. Mullins Heirs, Devisees, Successors or Assigns (1/9)	<i>(aka Beulah M. Mullins - Devised her 1/9th interest to Sandra Gerende)</i>		
(b) Theodore Roosevelt Mullins, Jr. Successors or Assigns (1/9)			
(b.1) Marilyn Mullins 19107 Park Place Blvd. Eustis, FL 32736	0.70 acres 1/27 of 18.94 acres	0.8769%	0.7094%
(b.2) Theodore Blaine Mullins 1550 Summit Drive Charleston, WV 25302	0.70 acres 1/27 of 18.94 acres	0.8769%	0.7094%
(b.3) Cornelia Maurice Mullins P.O. Box 51 Clendenin, WV 25045	0.70 acres 1/27 of 18.94 acres	0.8769%	0.7094%
(c) Sandra Gerende (1/9 + 1/9 = 2/9) 303 Barbours Road Unit 901 Morehead City, NC 28557	4.21 acres 2/9 of 18.94 acres	5.2611%	4.2564%
(2) John L. Mullins, Sr. Heirs, Devisees, Successors or Assigns (1/3)			
(a) George W. Mullins, Sr. 315 Evergreen Hills Road Cottageville WV 25239	1.58 acres 1/12 of 18.94 acres	1.9729%	1.5962%
(b) Joann Barker Heirs, Devisees, Successors or Assigns			
(b.1) Robert Barker 176 Hawkecrest Court DeBary, FL 32967-7059	1.58 acres 1/12 of 18.94 acres	1.9729%	1.5962%
(c) John L. Mullins, Jr. Heirs, Devisees, Successors or Assigns (1/12)			

Exhibit E
Unit W-8
Docket #VGOB 05-0816-1490-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 80.9038%
(c.1) Stephanie Mullins-Williams 1701 Sir John Court Orlando, FL 32837	0.39 acres 1/48 of 18.94 acres	0.4932%	0.3990%
(c.2) John David Mullins 2209 Falls Circle Vero Beach, FL 32967	0.39 acres 1/48 of 18.94 acres	0.4932%	0.3990%
(c.3) Barndon Overton Mullins 2736 Tolman Avenue, SE Palm Bay, FL 32909	0.39 acres 1/48 of 18.94 acres	0.4932%	0.3990%
(c.4) Heather L. Dawson 2016 Neveah Street NW Palm Bay, FL 32907	0.39 acres 1/48 of 18.94 acres	0.4932%	0.3990%
(d) Thomas L. Mullins 1394 Poca River Road South Poca, WV 26159	1.58 acres 1/12 of 18.94 acres	1.9729%	1.5962%
(3) Augustus C. Mullins Heirs, Devisees, Successors or Assigns (1/3)			
(a) Madeline Mullins Heirs, Devisees, Successors or Assigns (1/3)			
(a.1) Madeline Hunt 28809 Bennington Drive Wesley Chapel, FL 33544	6.31 acres 1/3 of 18.94 acres	7.8917%	6.3847%
<u>OIL & GAS OWNERSHIP</u>			
(1) Bobby Henry Craig Jackson, et al. (p/o 46.64 acre SOG Tract)	18.94 acres	23.6750%	19.1540%
(a) Bobby H.C. Jackson and Tracy Jackson ** P.O. Box 872 Lester Prairie, MN 55354	18.94 acres	23.6750%	19.1540%
** NOTE: Joint Tenants with Rights of Survivorship			
(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656			Ownership subject to a Life Estate reservation

Tract #3A, 2.82 Acres**COAL OWNERSHIP**

(1) Hamison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	2.82 acres	3.5250%	2.8519%
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OIL & GAS OWNERSHIP

(1) Bobby Henry Craig Jackson, et al. (p/o 46.64 acre SOG Tract)	2.82 acres	3.5250%	
(a) Bobby H.C. Jackson and Tracy Jackson ** P.O. Box 872 Lester Prairie, MN 55354	2.82 acres	3.5250%	2.8519%

** NOTE: Joint Tenants with Rights of Survivorship

(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656			Ownership subject to a Life Estate reservation
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Exhibit E
Unit W-8
Docket #VGOB 05-0816-1490-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 80.9038%
<u>Tract #3C, 5.04 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	5.04 acres	6.3000%	5.0969%
<u>OIL & GAS OWNERSHIP</u>			
(1) Bobby Henry Craig Jackson, et al. (p/o 35.00 acre SOG Tract)	5.04 acres	6.3000%	
(a) Bobby H.C. Jackson and Tracy Jackson ** P.O. Box 872 Lester Prairie, MN 55354	5.04 acres	6.3000%	5.0969%
** NOTE: Joint Tenants with Rights of Survivorship			
(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656	Ownership subject to a Life Estate reservation		
<u>Tract #3D, 1.63 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	1.63 acres	2.0375%	1.6484%
<u>OIL & GAS OWNERSHIP</u>			
(1) Bobby Henry Craig Jackson, et al. (p/o 46.64 acre SOG Tract)	1.63 acres	2.0375%	
(a) Bobby H.C. Jackson and Tracy Jackson ** P.O. Box 872 Lester Prairie, MN 55354	1.63 acres	2.0375%	1.6484%
** NOTE: Joint Tenants with Rights of Survivorship			
(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656	Ownership subject to a Life Estate reservation		
	Acres in Unit	42.4300	
	Percentage of Unit		53.0375%

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Exhibit EE
Unit W-8
Docket #VGOB 05-0816-1490-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 80.9038%	Percent of Escrow
<u>Tract #1A, 3.40 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC OXY Tr 27 / Big Axe Tr 13 (200.00 acre tract) P.O. Box 11000 Danville, VA 24543	3.40 acres	4.2500%	3.4384%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	3.40 acres	4.2500%	3.4384%	n/a
<u>Tract #1C, 0.29 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC OXY Tr 27 / Big Axe Tr 13 (200.00 acre tract) P.O. Box 11000 Danville, VA 24543	0.29 acres	0.3625%	0.2933%	0.1893%
<u>OIL & GAS OWNERSHIP</u>				
Walter & Gladys Price Conveyed to Janet P. Brown & Lonnie L. Brown (T/E) on 1/28/2004 under inst #06-0000282, recorded on 1/26/2006				
(1) Janet P. Brown, et vir. 1132 Valance Drive Vansant, VA 24656	0.29 acres	0.3625%	0.2933%	0.1893%
<u>Tract #3B, 21.58 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	21.58 acres	26.9750%	21.8238%	14.0862%
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (Previously Island Creek Coal Company - p/o 38.50 acre O&G)	21.58 acres	26.9750%	21.8238%	14.0862%
<u>Tract #3E, 12.22 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	12.22 acres	15.2750%	12.3581%	7.9765%
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (Previously Island Creek Coal Company - p/o 27.32 acre O&G)	12.22 acres	15.2750%	12.3581%	7.9765%

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Exhibit EE
Unit W-8
Docket #VGOS 05-0816-1400-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 80.9038%	Percent of Escrow
<u>Tract #3F, 0.08 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC Oxy Tr 23 / Big Axe Tr 30 (900.00 acre tract) P.O. Box 11000 Danville, VA 24543	0.08 acres	0.1000%	0.0809%	0.0522%
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC 1000 Conso! Energy Drive Canonsburg, PA 15317	0.08 acres	0.1000%	0.0809%	0.0522%
	Acreage In Unit Percentage of Unit		37.8700	46.9625%

INSTRUMENT #150000016
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JANUARY 6, 2015 AT 09:17AM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB