



BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds

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: X8
TRACT(S): 1C
LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-0816-1491-03

APPLICANTS: CNX Gas Company LLC on behalf of Theresa Brentis

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
April 17, 2018

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. 0000395.
2. Supplemental Order, Recorded on 08/27/2009, Deed Book/Instrument No. 090002586.
3. Disbursement Order -01 Executed 05/06/2016, Recorded on 05/19/2016, Deed Book/Instrument No. 160000897.
4. Disbursement Order -02 Executed 10/21/2016, Recorded on 11/08/2016, Deed Book/Instrument No. 160002055.

NOTICE:

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The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the April 17, 2018 hearing and 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) 1C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1C 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:

Theresa Brents is entitled to 100% of the CBM royalties awarded under Case No. CL12-387, Opinion dated February 5, 2015. Said decision 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.

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:

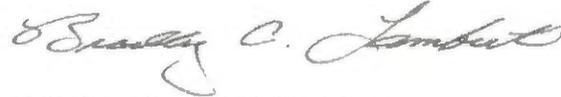
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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.

180000744

DONE AND EXECUTED this 18 day of April, 2018 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 18 day of April, 2018 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 18th day of April, 2018, 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 05-0816-1491-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1C (2) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: April 17, 2018

DRILLING UNIT: X8

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 Tract 1C, as depicted upon the annexed table. (Royalties currently being paid under VP8SGU5, Docket #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

Theresa Brents is entitled to 100% of the CBM royalties awarded under Case No. CL12-387, Opinion dated February 5, 2015. Said decision 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.

6. Attestation

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

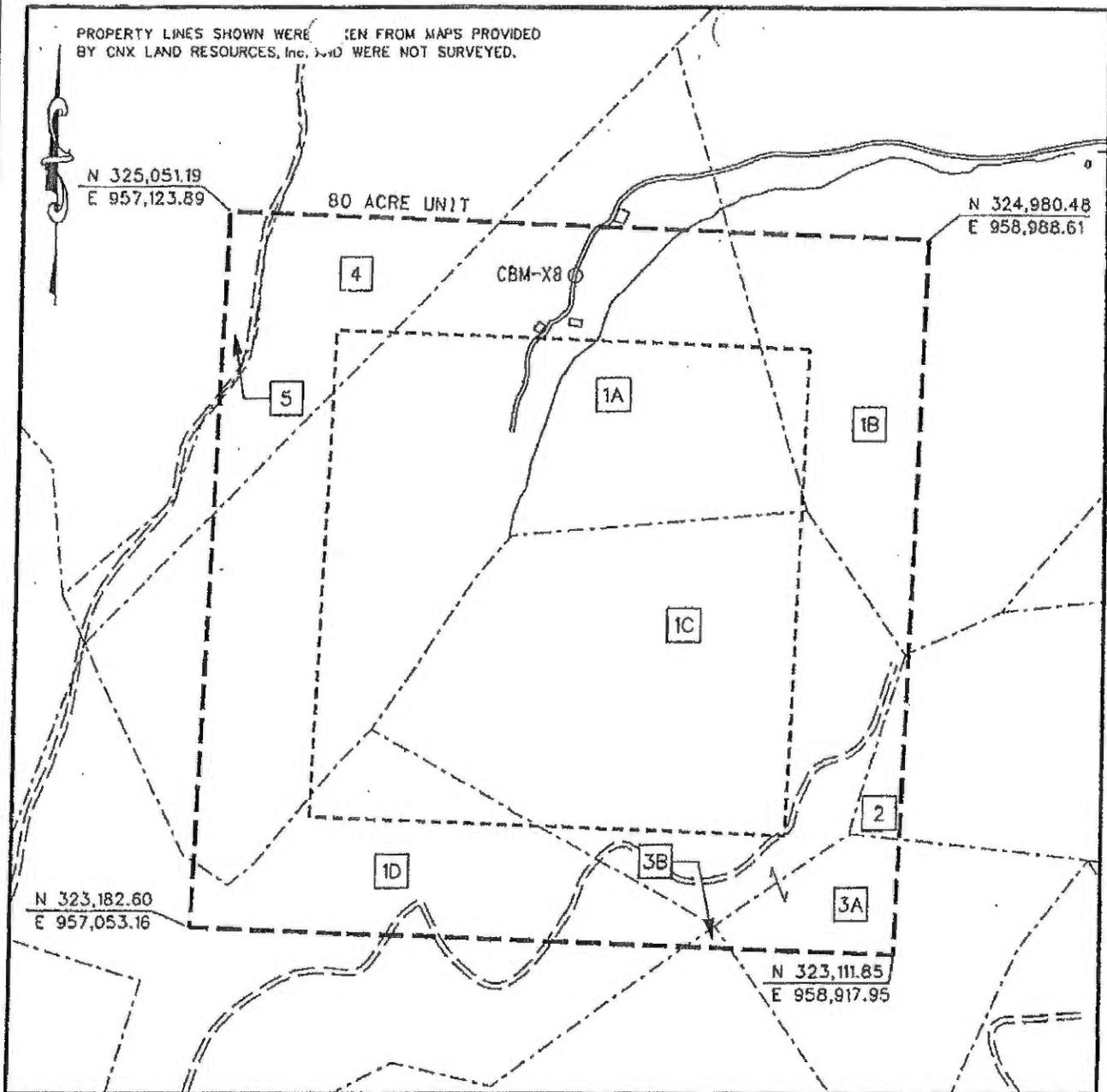


EXHIBIT A
 OAKWOOD FIELD
 UNIT X-8
 FORCE POOLING
 VGOB-05-0816-1491

Company CNX Gas Company LLC Well Name and Number UNIT X-8
 Tract No. _____ Elevation _____ Quadrangle Volisant
 County Buchanan District Prater Scale: 1" = 400' Date 7/15/05
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7 _____
 Rev. 9/91 _____
 Licensed Professional Engineer or Licensed Land Surveyor



...Plats\Force Pooling\X8POOL.dgn 07/12/2005 03:08:08 PM

CNX Gas Company LLC**UNIT X8****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
 Island Creek Coal Company/Consol Energy, Inc. - Surface
 30.15 acres 37.6875%
- 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
 8.02 acres 10.0250%
- 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
 Ronald E and Teresa H. Brents, Trustees - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 22.78 acres 28.4750%
- 1D. 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
 Island Creek Coal Company/Consol Energy, Inc. - Surface
 9.25 acres 11.5625%
2. Harrison-Wyatt, LLC Big Axe Tr. 40 (155 Acre Tract) - All Minerals
 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 - Oil, Gas and CBM Leased
 CNX Gas Company LLC - Surface
 0.79 acres 0.9875%
3. Harrison-Wyatt, LLC Big Axe Tr. 37 (105 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 James A. Tiller Heirs and Frank Howard Heirs - All Minerals except Coal
 2.43 acres 3.0375%
- 3A. Ronald E. and Teresa H. Brents, Trustees - Surface
 3B. Unknown Surface Owner

CNX Gas Company LLC**UNIT X8****Tract Identifications**

4. **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
5.68 acres 7.1000%

5. **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
0.90 acres 1.1250%

Exhibit E
Unit X-8
Docket #VGOB 05-0816-1491-03
List of Respondents that require escrow

	Acres In Unit	Percent of Unit	Interest in VP8-2 S. Panel 8.6552%
<u>Tract #3, 2.43 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) H-W Financial, LLC, Tr.37 P.O. Box 11000 Danville, VA 24543	2.43 acres	3.03750%	0.2629% <i>Dismissed under -01 Petition</i>
<u>OIL & GAS OWNERSHIP</u>			
<i>Unresolved Heirship</i>			
(1) James A. Tiller Heirs & Frank Howard Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unlocatable</i>	2.43 acres	3.03750%	0.2629%
Total Acreage in Conflict		2.4300	
Total Percentage In Conflict		3.0375%	

List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 8.6552%	Percent of Escrow
<u>Tract #1A, 30.15 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543	30.15 acres	37.6875%	3.2619%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	30.15 acres	37.6875%	3.2619%	n/a
<u>Tract #1B, 8.02 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543	8.02 acres	10.0250%	0.8677%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) Buchanan County P.O. Box 1056 Grundy, VA 24614	8.02 acres	10.0250%	0.8677%	n/a
<u>Tract #1C, 22.78 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543	22.78 acres	28.47500%	2.4646%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) Theresa H. Brents 713 Churchmans Mill Road Stuart Draft, VA 24477	22.78 acres	28.47500%	2.4646%	90.3610% Court Order
<i>Prevailing plaintiff under Case No. CL12-387 Awarded 100% of the CBM royalty.</i>				
<u>Tract #1D, 9.25 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543	9.25 acres	11.5625%	1.0008%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	9.25 acres	11.5625%	1.0008%	n/a
<u>Tract #4, 5.68 Acres</u>				
<u>COAL OWNERSHIP</u>				
T.R. Mullins, et al.	5.68 acres	7.10000%	0.6145%	n/a
(1) Theodore A. Mullins Heirs, Devises, Successors or Assigns				

Exhibit EE
Unit X-8
Docket #VGOB 05-0816-1491-03
List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 8.6552%	Percent of Escrow
(a) Theodore Blaine Mullins 1468 Rock Cliff Drive, Apt #3 Martinsburg, WV 25401	0.63 acres 1/9 of 5.68 acres	0.78889%	0.06828%	<i>n/a</i>
(b) Cornelia Maurice Mullins P.O. Box 51 Clendenin, WV 25045	0.63 acres 1/9 of 5.68 acres	0.78889%	0.06828%	<i>n/a</i>
(c) Marilyn Mullins 19107 Park Place Blvd. Eustis, FL 32736	0.63 acres 1/9 of 5.68 acres	0.78889%	0.06828%	<i>n/a</i>
(2) John L. & Lucille M. Mullins Sr. Heirs, Devisees, Successors or Assigns				
(a) George W. Mullins, Sr. 165 Muller Road Cottageville WV 25239	0.47 acres 1/12 of 5.68 acres	0.59167%	0.05121%	<i>n/a</i>
(b) Jo Ann Barker Heirs, Devisees, Successors or Assigns				
(b.1) Robert Barker Heirs, Devisees, Successors or Assigns				
(b.1.1) Thomas J. Barker 13658 NW 172 Ave Alachua, FL 32615-4453	0.12 acres 1/48 of 5.68 acres	0.1479%	0.01280%	<i>n/a</i>
(b.1.2) Timothy J. Barker 3854 Hampton Crest Lane Kennesaw, GA 30152-6990	0.12 acres 1/48 of 5.68 acres	0.1479%	0.01280%	<i>n/a</i>
(b.1.3) Elizabeth Barker 7745 Lupine Drive Blacklick, OH 43004-8062	0.12 acres 1/48 of 5.68 acres	0.1479%	0.01280%	<i>n/a</i>
(b.1.4) Jennifer Marie Wheeler 2151 Eastover Lane Miamisburg, OH 45342-5299	0.12 acres 1/48 of 5.68 acres	0.1479%	0.01280%	<i>n/a</i>
(c) John L. Mullins, Jr. Heirs, Devisees, Successors or Assigns				
(c.1) Stephanie Mullins-Williams 1701 Sir John Court Orlando, FL 32837-6309	0.12 acres 1/48 of 5.68 acres	0.14792%	0.01280%	<i>n/a</i>
(c.2) John David Mullins 2601 Sandtrap Lane #D Melbourne, FL 32935	0.12 acres 1/48 of 5.68 acres	0.14792%	0.01280%	<i>n/a</i>
(c.3) Barndon Overton Mullins 2601 Sandtrap Lane #D Melbourne, FL 32935	0.12 acres 1/48 of 5.68 acres	0.14792%	0.01280%	<i>n/a</i>
(c.4) Heather L. Dawson 1675 Adviev Road Estates / Bayside Lakes Palm Bay, FL 32909	0.12 acres 1/48 of 5.68 acres	0.14792%	0.01280%	<i>n/a</i>
(d) Thomas L. Mullins 1394 Poca River Road South Poca, WV 25159	0.47 acres 1/12 of 5.68 acres	0.59167%	0.05121%	<i>n/a</i>
(3) Augutus C. Mullins Heirs, Devisees, Successors or Assigns				

List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

	Acres In Unit	Percent of Unit	Interest in VP8-2 South Panel 8.6552%	Percent of Escrow
(a) Madeline Hunt, widow P.O. Box 7305 Zephyrhills, FL 33543	1.89 acres 1/3 of 5.68 acres	2.36667%	0.20484%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) Bobby Henry Craig Jackson, et al. (p/o 46.64 acre SOG Tract)	5.68 acres	7.1000%		
(a) Bobby H.C. Jackson & Tracy Jackson, TE P.O. Box 872 Lester Prairie, MN 55354	5.68 acres	7.1000%	0.61452%	n/a
(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656				<i>Ownership subject to a Life Estate reservation deeded July 1994</i>
<u>Tract #5, 0.90 Acres</u>				
<u>COAL OWNERSHIP</u>				
(1) H-W Financial, LLC, Tr.23 P.O. Box 11000 Denville, VA 24543	0.90 acres	1.12500%	0.0974%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1) Bobby Henry Craig Jackson, et al. (p/o 35.00 acre SOG Tract)	0.90 acres	1.1250%		
(a) Bobby H.C. Jackson & Tracy Jackson, TE P.O. Box 872 Lester Prairie, MN 55354	0.90 acres	1.1250%	0.0974%	n/a
(b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656				<i>Ownership subject to a Life Estate reservation deeded July 1994</i>
	Total Acreage Resolved	76.7800		
	Total Percentage Resolved		95.9750%	

INSTRUMENT 180000744
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
May 1, 2018 AT 08:34 AM
BEVERLY S. TILLER, CLERK
RECORDED BY: CXE