

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

UNIT/WELL NAME: FF15

TRACT(S): 1B, 1D

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-1018-1511-02

APPLICANTS:

CNX Gas Company LLC on behalf of Harrison-Wyatt, LLC, Herman Lee & Evia Christine
Hess, Mabel Street

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
October 20, 2015

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. 401.
2. Supplemental Order, Recorded on 08/27/2009, Deed Book/Instrument No. 090002588.
3. Disbursement Order -01 Executed 05/27/2015, Recorded on 06/05/2015, Deed Book/Instrument No. 150000903.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the October 20, 2015 hearing and considered whether to:

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

- a. Harrison-Wyatt LLC and Herman Lee & Evla Christine Hess have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Mable Jean Street is the gas claimants in Tract 1D As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant CNX Gas Company LLC and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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DONE AND EXECUTED this 21 day of October, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 21 day of October, 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 21st day of October, 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 05-1018-1511-02

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

HEARING DATE: October 20, 2015

DRILLING UNIT: FF15

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 1B & 1D, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Harrison-Wyatt LLC, Herman Lee & Evia Christine Hess, & Mable Jean Street. Unit FF15.

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

- a. Harrison-Wyatt LLC and Herman Lee & Evia Christine Hess have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Mable Jean Street is the gas claimants in Tract 1D As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant CNX Gas Company LLC and not escrow same. See Exhibit EE annexed hereto.

6. Attestation

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

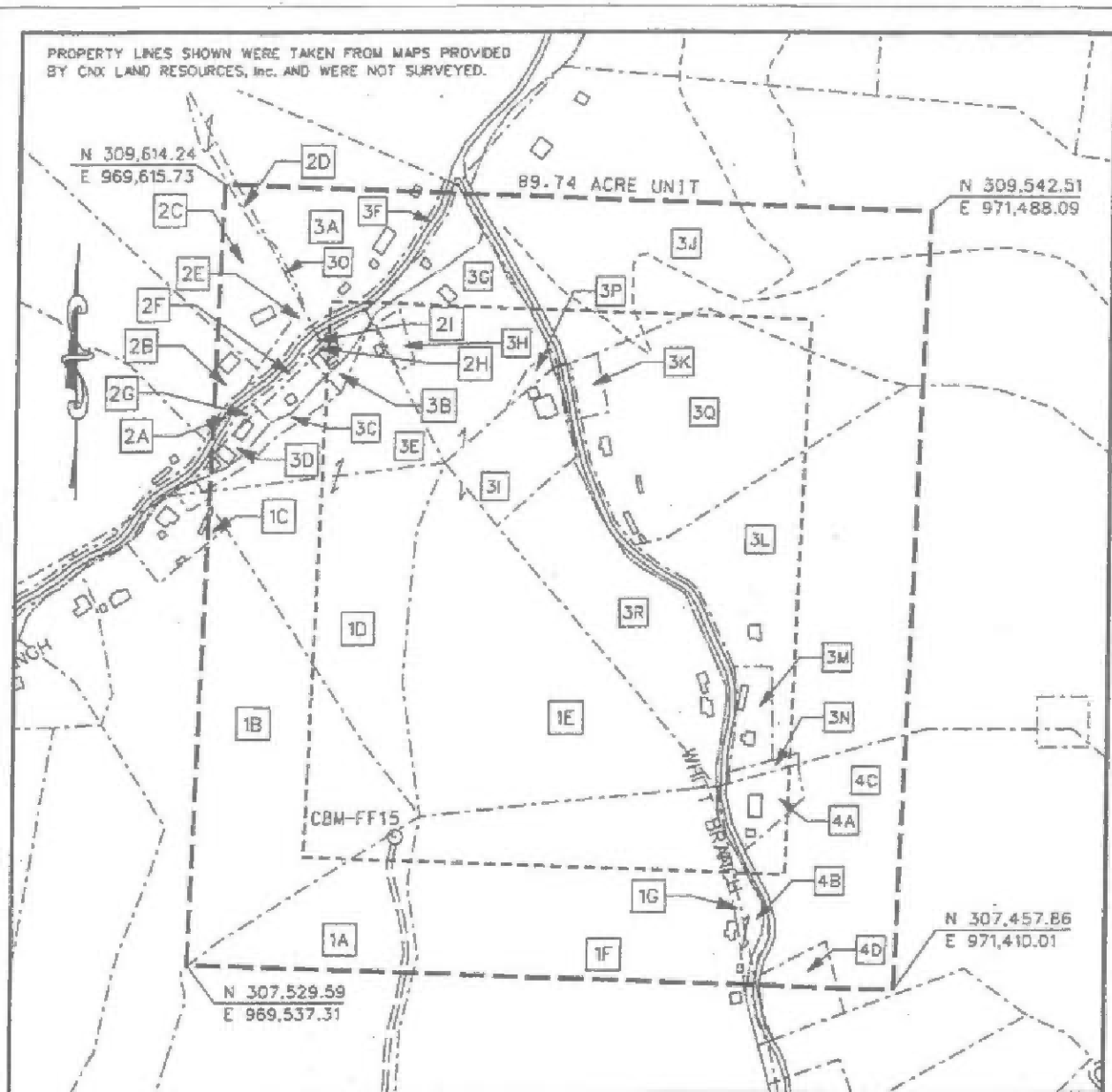
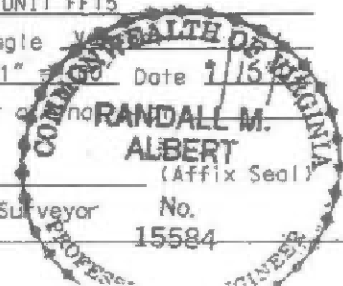


EXHIBIT A
OAKWOOD FIELD
UNIT FF-15
FORCE POOLING
VG08-05-1018-1511

Company CNX Gas Company LLC Well Name and Number UNIT FF15
 Tract No. _____ Elevation _____ Quadrangle Y
 County Buchanan District Hurricane Scale: 1" = 1/4" Date 1/15/00
 This plat is a new plat X ; an updated plat _____ ; or a _____
 Form DGO-GO-7 Randall M. Albert
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor No. 15584



CNX Gas Company LLC**UNIT FF-15**

**Tract Identifications
(89.74 Acre Unit)**

- 1A. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC Surface and All Minerals except Coal
2.89 acres 3.2204%
- 1B. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Herman L. Hess, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
8.11 acres 9.0372%
- 1C. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Luther Street, et ux – Surface and All Minerals except Coal
0.02 acres 0.0223%
- 1D. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Hobert Street, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
6.31 acres 7.0314%
- 1E. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Sylvia Rose, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.45 acres 10.5304%
- 1F. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Kenneth W. Street, et ux – Surface and All Minerals except Coal
9.12 acres 10.1627%

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CNX Gas Company LLC

UNIT FF-15

Tract Identifications

(88.74 Acre Unit)

- 1G. Harrison-Wyatt, LLC. Big Axe Tr. 3 (318 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Kenneth W. Street, et ux - Surface and All Minerals except Coal
0.18 acres 0.2006%
2. Harrison-Wyatt, LLC. Big Axe Tract 9 (400 Acre Tract) - All Minerals
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
2.55 acres 2.8415%
- 2A. Commonwealth of Virginia - Surface
2B. Macie E. Beck, et vir - Surface
2C. Harlis W. Keen, et ux - Surface
2D. Danny Street, et al - Surface
2E. Commonwealth of Virginia - Surface
2F. Unknown Surface Owner
2G. Unknown Surface Owner
2H. Unknown Surface Owner
2I. Unknown Surface Owner
3. Buckhorn Coal Mining (H.C. Stuart 425 Acre Tract) - All Minerals
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
45.07 acres 50.2229%
- 3A. Hobert Street, et ux - Surface
3B. CNX Gas Company LLC - Surface
3C. Hobert Street, et ux - Surface
3D. Unknown Surface Owner
3E. Hobert Street, et ux -
3F. Commonwealth of Virginia - Surface
3G. Unknown Surface Owner
3H. Unknown Surface Owner
3I. Unknown Surface Owner
3J. Unknown Surface Owner
3K. Unknown Surface Owner
3L. Unknown Surface Owner
3M. Unknown Surface Owner
3N. Unknown Surface Owner
3O. Harlis W. Keen, et ux - Surface
3P. Unknown Surface Owner
3Q. Unknown Surface Owner

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CNX Gas Company LLC

UNIT FF-15

Tract Identifications

(89.74 Acre Unit)

- 4. Buckhorn Coal Company (H. C. Stuart 125 Acre Tract) - All Minerals
Knox Creek Coal Corporation - Coal Above Drainage Seams Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
6.04 acres 6.7306%
- 4A. Unknown Surface Owner
- 4B. Kenneth Street, et ux - Surface
- 4C. Jerry L. Smith, et ux - Surface
- 4D. Unknown Surface Owner

Exhibit E
Unit FF-15
Docket #VGOB 05-1018-1511-02
List of Respondents in Escrow
(89.74 Acre Unit)

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	Acres in Unit	Percent of Unit
Escrowing not required		

Exhibit EE
Unit FF-15
Docket #VGOB 05-1018-1511-02
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(89.74 Acre Unit)

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	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1A - 2.89 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	2.89 acres	3.2204%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	2.89 acres	3.2204%	n/a
<u>Tract #1B - 8.11 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	8.11 acres	9.0372%	28.1207% -50% (Royalty Split)
<u>OIL & GAS OWNERSHIP</u>			
(1) Herman L. Hess, et al.			
(1) Herman Lee & Evia Christine Hess <i>vs</i> 1066 Tomahawk Road Rowe, VA 24646	8.11 acres	9.0372%	28.1207% -50% (Royalty Split)
(2) Olbert Hess	<i>Life Estate</i>		
<u>Tract #1C - 0.02 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	0.02 acres	0.0223%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Luther & Gay Street 1007 Tomahawk Drive Rowe, VA 24646	0.02 acres	0.0223%	n/a
<u>Tract #1D - 6.31 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	6.31 acres	7.0314%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Hobert Street Hairs, Deviseses, Successors or Assigns			
(a) Mabel Street 1405 Long Branch Road Rowe, VA 24646	6.31 acres	7.0314%	43.7587% HB2058
<u>Tract #1E - 9.45 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	9.45 acres	10.5304%	n/a

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Sylvia Rose, et al.	9.45 acres	10.5304%	
(a) Scotty Cantrell P.O. Box 2463 Lebanon, VA 24266	4.725 acres 1/2 of 9.45 acres	5.2652%	n/a
(b) Jennifer Faith Cantrell P.O. Box 2463 Lebanon, VA 24266	4.725 acres 1/2 of 9.45 acres	5.2652%	n/a
<i>Note: Per Letter of Agreement fax dated 6/3/03, Carlos & Sylvia Rose are to receive all payments.</i>			
(c) Sylvia & Carlos Rose 1381 Long Branch Rd. Rowe, VA 24646	Life Estate Only		n/a
(d) James Douglas Shortridge HC65 Box 7 Rowe, VA 24646	Life Estate Only		n/a
<u>Tract #1F - 9.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	9.12 acres	10.1627%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth W. & Kathy Mae Street t/e 1426 Whit Branch Rd. Rowe, VA 24646	9.12 acres	10.1627%	n/a
<i>Prevailing plaintiff under Case No. CL 347-11 Awarded 100% of the CBM royalty.</i>			
<u>Tract #1G - 0.18 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC, Tr.3 P.O. Box 11000 Danville, VA 24543	0.18 acres	0.2006%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth W. & Kathy Mae Street t/e 1426 Whit Branch Rd. Rowe, VA 24646	0.18 acres	0.2006%	n/a
<i>Prevailing plaintiff under Case No. CL 347-11 Awarded 100% of the CBM royalty.</i>			
Total Acreage Resolved		36.0600	
Total Percentage Resolved			40.2050%

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INSTRUMENT #150001732
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
OCTOBER 27, 2015 AT 11:52AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB