

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: AY98

TRACT(S): A portion of 3

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-1213-1542-03

APPLICANTS:

CNX Gas Company LLC on behalf of Allen Sanders, Edward V. Tiller, Harley Sanders, Loeita Austin

HEARING DATE AND LOCATION:

On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 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. 399.
2. Supplemental Order, Recorded on 01/23/2008, Deed Book/Instrument No. 80000285.
3. Disbursement Order -01 Executed 03/24/2011, Recorded on 03/30/2011, Deed Book/Instrument No. 110000747.
4. Disbursement Order -02 Executed 05/31/2012, Recorded on 06/25/2012, Deed Book/Instrument No. 120001257.

160000466

NOTICE:

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

- a. Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders is the gas claimant in Tracts 3. As such Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders are 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.
- b. 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.
- c. 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.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. 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.
- f. 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 Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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DONE AND EXECUTED this 3 day of March, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

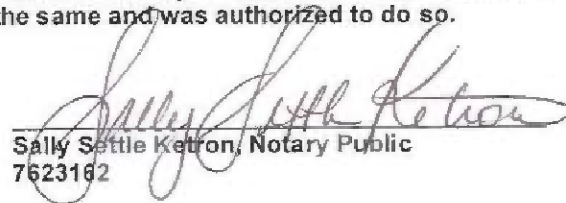
DONE AND PERFORMED this 3 day of March, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 3 day of March, 2016 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.


Sally Settle Ketron, Notary Public
7623162

My Commission expires: January 31, 2019



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 05-1213-1542-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 3 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: AY98

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 Tract 3, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders.

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. Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders is the gas claimant in Tracts 3. As such Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders are 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.
- b. 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.
- c. 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.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. 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.
- f. 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 Edward V. Tiller, Loeita Austin, Harley Sanders, & Allen Sanders 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.

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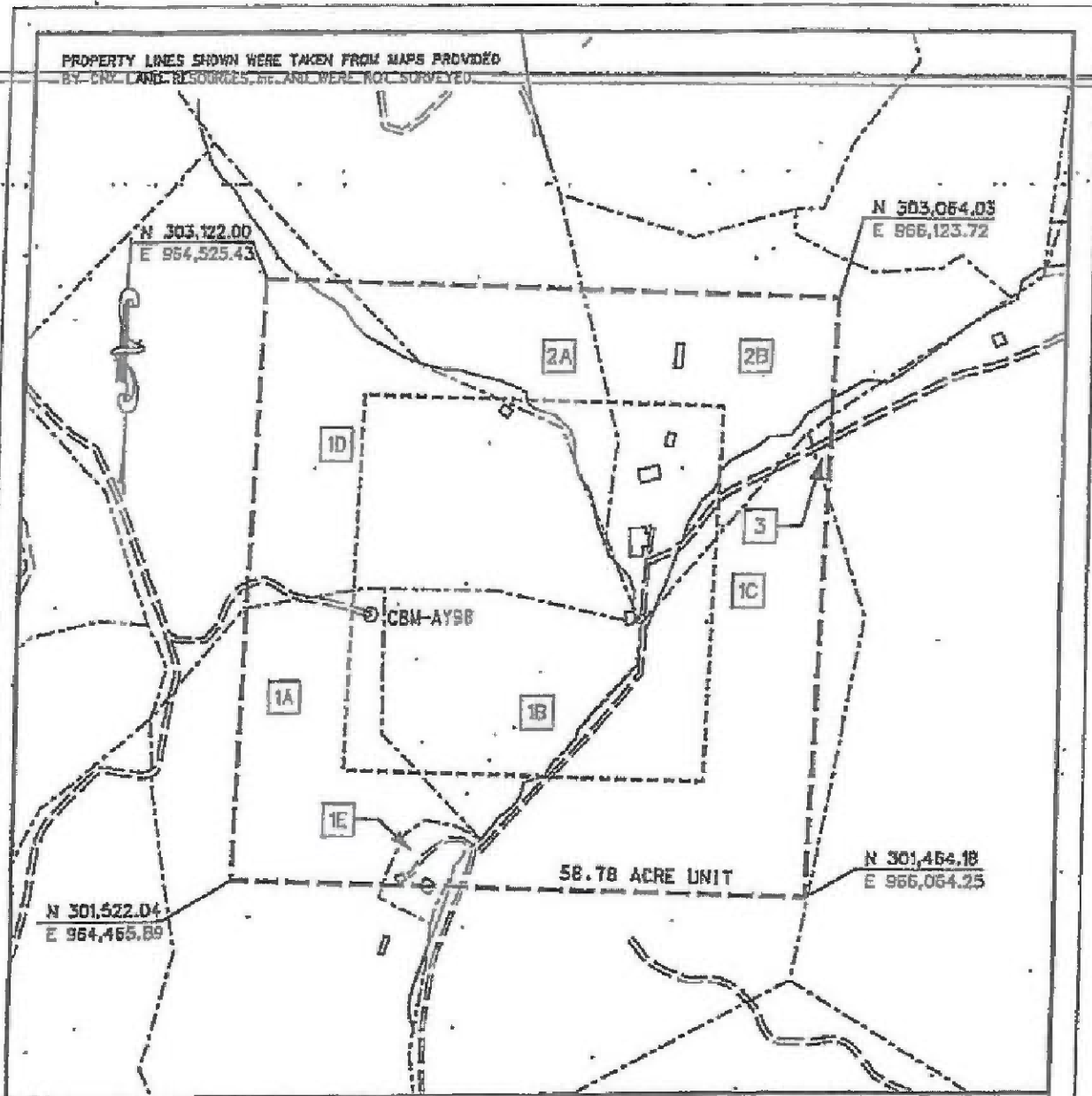


EXHIBIT A
NORA FIELD
UNIT AY-98
FORCE PODLING
VGDB-05-1213-1542

Company CNX Gas Company LLC Well Name and Number UNIT AY98
 Tract No. _____ Elevation _____ Quadrangle Big A Mountain
 County Buchanan District Hurricane Scale: 1" = 400' Date 11/2/05
 This plot is a new plot X : an updated plot _____ : of a final plat _____
 Form DGD-60-1 Charles D. Ma... 10553 (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

UNIT AY-98

Tract Identification
(58.78 Acres)

1. Harrison-Wyatt, LLC Big Axe Tr. 2 (176.25 Acre Tract) - Coal (50%)
 Buchanan Realty Limited Partnership - Coal (50%)
 Harrison-Wyatt, LLC (Big Axe Tr. 2) - All Minerals except Coal
 Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 45.05 acres 76.6417%
- 1A. Teresa Harris, et al - Surface
- 1B. Gregory Austin et ux - Surface
- 1C. Emma Jane Harris - Surface
- 1D. Diane Howard Austin, et al - Surface
- 1E. Brian Hess, et al - Surface
2. Harrison-Wyatt, LLC. (Big Axe Tr. 12) - All Minerals
 Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 13.57 acres 23.0861
- 2A. Wesley Carl Hess, et al. - Surface
- 2B. Diane Howard Austin, et al - Surface
3. Harrison-Wyatt, L.L.C. (Big Axe Tr. 4) - Coal
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Fielden Sanders Heirs, et al. - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased (85%)
 0.16 acres 0.2722%

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Exhibit E
Unit AY-98
Docket #VGOB 05-1213-1542-03
Listing of Respondents that require Escrow
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #3 - 0.16 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC Big Axe Tr #4 (1575.50 acre tract) P.O. Box 11000 Danville, VA 24543-5017	0.16 acres	0.2722%
<u>OIL & GAS OWNERSHIP</u>		
Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	0.16 acres	0.2722%
(1) Ora Sanders Heirs, Devisees, Successors or Assigns		
(b) Lethia (Leafy) Sanders Tiller Heirs, Devisees Successors or Assigns (doc requested 11/23/15)	0.0076 1/21 of 0.16 acres	0.0130%
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify:</i>		
(b.1) Christa Dawn (Duty) Hess (Waddel) 231 Hales Rd Jonesborough, TN 37659		
(b.2) Ronnie Wayne Tiller 7918 Gold Leaf Circle Spotsylvania, VA 22551		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(c) Lena Sanders Sutorka 751 Forest Hill Road Gordonsville, VA 22942	0.0076 1/21 of 0.16 acres	0.0130%
(d) Daniel E. Sanders Heirs, Devisees, Successors or Assigns		
<i>W9/Affidavit Pending</i>		
(d.1) Orie Wangler (Gerard) Rt 2 Box 466 McLoud, OK 74851	0.0019 1/84 of 0.16 acres	0.0032%
(d.2) Wainoke Lynn Kummell 16826 Topeka Ln Choctaw, OK 74020	0.0019 1/84 of 0.16 acres	0.0032%
(d.3) Latrenda Sanders Rt 2 Box 466 McLoud, OK 74851	0.0019 1/84 of 0.16 acres	0.0032%
(d.4) Lamona Heck PO Box 1407 Bedford, VA 24523	0.0019 1/84 of 0.16 acres	0.0032%
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(e) Julia Sanders O'Quinn 1232 Green-Cook Road Sunbury, OH 43074	0.0076 1/21 of 0.16 acres	0.0130%
(g) Walter Sanders Heirs, Devisees, Successors or Assigns		

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Exhibit E
Unit AY-98
Docket #VGOB 05-1213-1542-03
Listing of Respondents that require Escrow
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
(g.4) Terry Sanders 271 Pleasant Ridge Road Franklinville, NC 27248	0.0019 1/84 of 0.16 acres	0.0032%

	Acres in Unit	Percent of Unit	Percent of Escrow
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Tract #1 - 45.05 acresCOAL OWNERSHIP

According to the Supplemental Order this tract should have been placed in escrow, but it was never escrowed. Conflicts have been resolved and owners have been on pay since first production.

(1) Harrison-Wyatt, LLC, et al. **	45.05 acres	76.6417%	
(a) Harrison-Wyatt, LLC	22.525 acres	38.3209%	n/a
Big Axe Tr #2 (176.25 acre tract)	1/2 of 45.05 acres		
P.O. Box 11000			
Danville, VA 24543-5017			

** NOTE: In order to resolve the CBM conflict, by Quitclaim Deed dated 5/31/06, Harrison-Wyatt, LLC conveys an undivided one-fourth (1/4) interest in the CBM Estate to Buchanan Realty.

(b) Buchanan Realty Limited Partnership	22.525 acres	38.3209%	n/a
c/o John C. Irvin	1/2 of 45.05 acres		
4710 Hunterwood Circle			
Richmond, TX 77469			

** NOTE: In order to resolve the CBM conflict, by Quitclaim Deed dated 5/31/06, Buchanan Realty conveys an undivided three-fourths (3/4) interest in the CBM Estate to Harrison-Wyatt.

Royalties paid to:

Buchanan Realty Limited Partnership
P. O. Box 1756
Grundy, VA 26414-1756

OIL & GAS OWNERSHIP

(1) Harrison-Wyatt, LLC **	45.05 acres	76.6417%	n/a
Big Axe Tr #2 (176.25 acre tract)			
P.O. Box 11000			
Danville, VA 24543-5017			

** NOTE: In order to resolve the CBM conflict, by Quitclaim Deed dated 5/31/06, Harrison-Wyatt, LLC conveys an undivided one-fourth (1/4) interest in the CBM Estate to Buchanan Realty.

25% of CBM Royalties are to be paid to:

Buchanan Realty Limited Partnership
P. O. Box 1756
Grundy, VA 26414-1756

Tract #3 - 0.16 acresTract #3 - 0.16 acres

(1) Harrison-Wyatt, LLC	0.16 acres	0.2722%	n/a
Big Axe Tr #4 (1575.50 acre tract)			
P.O. Box 11000			
Danville, VA 24543-5017			

OIL & GAS OWNERSHIP

Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	0.16 acres	0.2722%	
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- (1) Ora Sanders Heirs, Devisees,
Successors or Assigns

List of Respondents with Royalty Split Agreements/Court Orders/HB2052
(58.78 Acres Unit)

	Acres in Unit	Percent of Unit	Percent of Escrow
(a) Oma Sanders Tiller Heirs, Devisees, Successors or Assigns (1/21)			
(a.1) Edward V. Tiller 7491 Red Bud Highway Honaker, VA 24260	0.0038 1/42 of 0.16 acres	0.0065%	8.4506% HB2058
(a.2) Loeita Austin Lambert 7509 Red Bud Highway Honaker, VA 24260	0.0038 1/42 of 0.16 acres	0.0065%	8.4506% HB2058
(c) Lena Sanders Sutorka 751 Forest Hill Road Gordonsville, VA 22942	0.0076 1/21 of 0.16 acres	0.0130%	
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns			
(f.1) Beatrice Jane MacCormac 8732 Phipps Farm Way Manassas, VA 20109	0.0038 1/42 of 0.16 acres	0.0065%	n/a
(f.2) Betty Sue Fletcher P.O. Box 691 Marion, VA 24354	0.0038 1/42 of 0.16 acres	0.0065%	n/a
(g) Walter Sanders Heirs, Devisees, Successors or Assigns			
(g.1) Nadine Sanders Hurley 631 Belfast School Rd Cedar Bluff, VA 24609	0.0019 1/84 of 0.16 acres	0.0032%	n/a
(g.2) Adrinne Sanders Horn RR4 Box 503A North Tazewell, VA 24630	0.0019 1/84 of 0.16 acres	0.0032%	n/a
(g.3) Roger Sanders P.O. Box 82 Pilgrims Knob, VA 24634	0.0019 1/84 of 0.16 acres	0.0032%	n/a
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns			
(a) Chester Sanders 408W Dartmouth Avenue Melbourne, FL 32901	0.0267 1/6 of 0.16 acres	0.0454%	n/a
(b) Dave Sanders Rt.2 Box 546 Bluefield, VA 24805	0.0267 1/6 of 0.16 acres	0.0454%	n/a
(c) Norman Sanders 2013 Otterdale Road Midlothian, VA 23112	0.0267 1/6 of 0.16 acres	0.0454%	n/a
(d) Estil Sanders Heirs, Devisees, Successors or Assigns			
(d.1) Goldie Sanders Heirs, Devisees, Successors or Assigns (1/18)			

*Note: 1/18 interest divided among heirs listed below - Heir will be paid for Goldie's portion because she had a Royalty Split agreement, but their original 1/63 interest will remain escrowed. Unless an individual agreement has b

Exhibit EE
Unit AY-98
Docket #VGOB 05-1213-1542-03
List of Respondents with Royalty Split Agreements/Court Orders/HB2052
(58.78 Acre Unit)

160000466

	Acres in Unit	Percent of Unit	Percent of Escrow
(d.1.1) James Sanders 96 1st Street Cleveland, VA 24225	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.2) Judy Sanders Israel 5136 Drill Road Honaker, VA 24260	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.3) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.4) Jerry Sanders P.O. Box 1931 Honaker, VA 24260	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.5) Larry Sanders P.O. Box 996 Honaker, VA 24260	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.6) Allen Sanders 924 Creekside Drive Lebanon, VA 24266	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.1.7) Evelyn Sanders Nash 19 Heritage Drive Honaker, VA 24260	0.0013 1/126 of 0.16 acres	0.0022%	n/a
(d.2) James Sanders 96 1st Street Cleveland, VA 24225	0.0025 1/63 of 0.16 acres	0.0043%	n/a
(d.3) Judy Sanders Israel 5136 Drill Road Honaker, VA 24260	0.0025 1/63 of 0.16 acres	0.0043%	n/a
(d.4) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.0025 1/63 of 0.16 acres	0.0043%	5.6337% HB2058
(d.5) Jerry Sanders P.O. Box 1931 Honaker, VA 24260	0.0025 1/63 of 0.16 acres	0.0043%	n/a
(d.6) Larry Sanders P.O. Box 996 Honaker, VA 24260	0.0025 1/63 of 0.16 acres	0.0043%	n/a
(d.7) Allen Sanders 924 Creekside Drive Lebanon, VA 24266	0.0025 1/63 of 0.16 acres	0.0043%	5.6337% HB2058
(d.8) Evelyn Sanders Nash 19 Heritage Drive Honaker, VA 24260	0.0025 1/63 of 0.16 acres	0.0043%	n/a

INSTRUMENT #160000466
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 22, 2016 AT 03:35PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB