

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: FF41

TRACT(S): A portion of 2B

LOCATION: TAZEWELL County, Virginia

TAX ID NUMBERS:

Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract
Identification Sheet

DOCKET NUMBER:

VGOB-07-0417-1915-01

APPLICANTS:

CNX Gas Company LLC on behalf of Betty Jane Shelton, Betty Lou Garrison Stump, Brenda
Fay Stone, Calvin Johnson, Carole Jackson, Dorothy Barnes, Edward Randall Rutledge,
Evelyn Rose, Gail Clark, Lester George Beaver, Jr, Melvin Johnson, Michael Shane
DeArmon, Pansy Johnson, Sharon Gail Hess, Sundee Taylor, Thomas Palmer Rutledge,
Virgus Blankenship, Zelda Arue Thompson

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 10/18/2007, Recorded on 10/29/2007, Deed Book/Instrument No.
1014, Page 145.
2. Supplemental Order, Recorded on 09/23/2010, Deed Book/Instrument No. 1082, Page 278.

DK 2016 PG 10164

1874

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 2B identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 2B 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 Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship is the gas claimant in Tracts 2B. As such Edward Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship 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 Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship and not escrow same. See Exhibit EE annexed hereto

Tracts: A portion of 2B

VGOB Disbursement Unit FF41								
VGOB-07-0417-1915-01								
Table 1								
Tracts: A portion of 2B								
Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
			in Tract	in Tract	Agreement	Disbursed	Disbursed	
				</				

Adjustment Comments:

Left

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intentionally

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.

DONE AND EXECUTED this 23 day of June, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

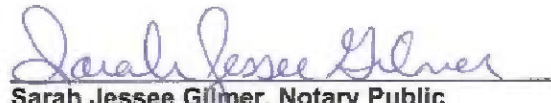
DONE AND PERFORMED this 23 day of June, 2016 by Order of the Virginia Gas and Oil Board.



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

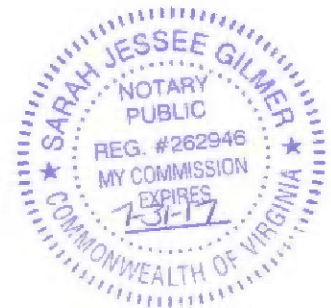
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 23rd day of June, 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.



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 07-0417-1915-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 2B (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: 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: FF41

TAZEWELL 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(s) attributable to of Tract(s) 2B as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Dorothy Barnes, Lester G. Beaver, Virgus Blankenship, Gail M. Clark, Michael S. DeArmon, Sharon Gail Hess, Carole Jean Jackson, Calvin E. Johnson, Melvin L. Johnson, Pansy M. Johnson, Edward R. Rutledge, Thomas Palmer Rutledge, Betty J. Shelton, Brenda F. Stone, Betty L. Stump, Sundee Taylor, Zelda A. Thompson; (3) Dismissal of Commonwealth Coal Company.

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 Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship is the gas claimant in Tracts 2B. As such Edward Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship 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 Rutledge, Thomas Rutledge, Michael DeArmon, Betty Lou Stump, Zelda Thompson, Lester Beaver, Jr., Brenda Stone, Dorothy Barnes, Pansy Johnson, Calvin Johnson, Evelyn Rose, Melvin Johnson, Sharon Hess, Betty Jane Shelton, Gail Clark, Sundee Taylor, Carol Jackson, Virgus Blankenship 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-41
FORCE POOLING
VG08-07-0417-1915

be UN17 FF41
Claude D. GURGAN
1" = 400' Date 7/1/67
or a final plat
10958
PROFESSIONAL ENGINEER (Seal)
Land Survey

Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

UNIT FF41

**Tract Identifications
(89.45 Acre Unit)**

1. **Commonwealth Coal Company Tr. 8 (1497.62 Acre May-Painter Tract) - Fee
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Tax Map 84A Parcel 122A
82.23 acres .91.9285%**
- 2A. **Commonwealth Coal Company Tr. 10 (200 Acre Tract) - All Minerals
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Unknown Surface Owner
Tax Map 85 Parcel 002
6.84 acres 7.6467%**
- 2B. **Commonwealth Coal Company Tr. 10 (200 Acre Tract) - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Burkie T. Barnett - Surface and All Minerals except Coal
Tax Map 85 Parcel 002
0.38 acres 0.4248%**

Exhibit E
 Unit FF-41
 Docket #VGOB 07-0417-1915-01
 List of Respondents that require escrow
 (89.45 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2B, 0.38 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Commonwealth Coal Company, Tr.10 P.O. Box 1269 Bristol, VA 24203 (200 Acre Tract)	0.38 acres	0.4248%
<u>OIL & GAS OWNERSHIP</u>		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(1) Burkie T. Barnett Heirs, Devisees, Successors or Assigns	0.38 acres	0.4248%
(c) Avery Johnson Heirs, Devisees, Successors or Assigns		
(c.1) Joyce Ann Huckle 5113 Montrose Dr. Fort Worth, TX 76114	0.024 acres 1/16 of 0.38 acres	0.0266%
(e) Ocie Beavers Workman Heirs, Devisees, Successors or Assigns		
(e.1) Grace Elizabeth Hibdon 6153 Son Villa Drive, Apt. C Forth Worth, TX 76135	0.012 acres 1/32 of 0.38 acres	0.0133%
(e.4) Noel Albert Beaver 39 Jackson Rd Plainfield, CT 06374	0.012 acres 1/32 of 0.38 acres	0.0133%
(f) Arvel Johnson Heirs, Devisees, Successors or Assigns		
(f.2) Wanda Gay Smith 527 Redstone Dr, Unit 23 Bristol, TN 37620	0.024 acres 1/16 of 0.38 acres	0.0266%
(h) Virgie Jackson Heirs, Devisees, Successors or Assigns		
(h.1) Verna L. Owens Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.010 acres 1/40 of 0.38 acres	0.0106%
<i>W9/Affidavit Pending</i>		
(h.2) Berna Mae Hensley Heirs, Devisees, Successors or Assigns <i>Documentation Pending- sent with pooling package 2/17/16</i>	0.010 acres 1/40 of 0.38 acres	0.0106%
(h.2.1) Barbara Lester 4838 Lester Fork Rd Grundy, VA 24614		
(h.2.2) Belinda Keene 5820 Slate Creek Rd Grundy, VA 24614		
(h.2.3) Nancy Jackson 1059 Frontlane Rd Grundy, VA 24614		

Exhibit E
Unit FF-41
Docket #VGOB 07-0417-1915-01
List of Respondents that require escrow
(89.45 Acre Unit)

03/2016 PD10175

	Acres in Unit	Interest in Unit
(h.2.4) Jimmy Hensley 8012 Hurley Rd Hurley, VA 24620		
(h.2.5) Jerry Hensley PO Box 535 Hurley, VA 24620		
(h.2.6) Danny Hensley 1105 Tremont Ave Bristol, TN 37620		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(h.3) Clarence E. Jackson Heirs, Devisees, Successors or Assigns		
(h.3.1) Gladys Marie Jackson Heirs, Devisees, Successors or Assigns		
(h.3.1.3) Doris Selzer 7176 North Mitre Ave Fresno, CA 93722	0.001 acres 1/600 of 0.38 acres	0.0007%
(h.3.1.4) Colleen McMahan 68 Woodward Ave Sausalito, CA 94965	0.001 acres 1/600 of 0.38 acres	0.0007%
(h.3.1.5) Garland Marsolais 1425 Flat Shoals Road SE Conyers, GA 30013	0.001 acres 1/600 of 0.38 acres	0.0007%
(h.5) Donald Eugene Jackson 618 Jupiter Dr., Unit 2010 Madison, WI 53718	0.010 acres 1/40 of 0.38 acres	0.0106%

Total Acres 0.102
Total Percentage 0.1136%

Exhibit EE
Unit FF-41
Docket #VGOB 07-0417-1915-01
List of Respondents with Royalty Splits/Court Orders/HB2058
(89.45 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2B, 0.38 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Commonwealth Coal Company, Tr.10 P.O. Box 1269 Bristol, VA 24203 (200 Acre Tract)	0.38 acres	0.4248%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Burkie T. Barnett Heirs, Devisees, Successors or Assigns	0.38 acres	0.4248%	
(a) Elsie Rutledge Heirs, Devisees, Successors or Assigns			
(a.1) Edward Randall Rutledge 333 Bernard Street Huntington, WV 25704	0.024 acres 1/16 of 0.38 acres	0.0266%	6.2500% HB2058
(a.2) Thomas Palmer Rutledge 75 Rabbit Creek Path Rockmart, GA 30153-6437	0.024 acres 1/16 of 0.38 acres	0.0266%	6.2500% HB2058
(b) Allen Johnson Heirs, Devisees, Successors or Assigns			
(b.1) Dorothy Gearheart DeArmon Heirs, Devisees, Successors or Assigns			
(b.1.1) Michael Shane DeArmon 5217 110th Street Jacksonville, FL 32244	0.048 acres 1/8 of 0.38 acres	0.0531%	12.5000% HB2058
(c) Avery Johnson Heirs, Devisees, Successors or Assigns			
(c.2) Betty Lou Garrison Stump 317 Sylvan Ave Lancaster, OH 43130	0.024 acres 1/16 of 0.38 acres	0.0266%	6.2500% HB2058
(d) Dorothy Gearheart DeArmon Heirs, Devisees, Successors or Assigns			
(d.1) Michael Shane DeArmon 5217 110th Street Jacksonville, FL 32244	0.048 acres 1/8 of 0.38 acres	0.0531%	12.5000% HB2058
(e) Ocie Beavers Workman Heirs, Devisees, Successors or Assigns			
(e.2) Zelda Arue Thompson 10130 Burton Street New Port Richey, FL 34654	0.012 acres 1/32 of 0.38 acres	0.0133%	3.1250% HB2058
(e.3) Lester George Beaver, Jr. 2359 Dawnlight Ave Columbus, OH 43211	0.012 acres 1/32 of 0.38 acres	0.0133%	3.1250% HB2058
(f) Arvel Johnson Heirs, Devisees, Successors or Assigns			

2016 10177

(f.1)	Brenda Fay Stone 694 Flintlock Ct Nashville, TN 37217	0.024 acres 1/16 of 0.38 acres	0.0266%	6.2500% HB2058
(g)	Acie Johnson Heirs, Devisees, Successors or Assigns			
(g.1)	Dorothy Barnes 407 W. Main Street Fletcher, OH 45326	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.2)	Pansy Johnson 398 Road Ridge Turnpike Raven, VA 24639	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.3)	Calvin Johnson 356 Road Ridge Turnpike Raven, VA 24639	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.4)	Evelyn Rose 17078 Green Acres Dr Sidney, OH 45365	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.5)	Melvin Johnson PO Box 152 Raven, VA 24639	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.6)	Sharon Gail Hess PO Box 577 Raven, VA 24639	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(g.7)	Betty Jane Shelton VCCW Box 1 Goochland, VA 23063	0.007 acres 1/56 of 0.38 acres	0.0076%	1.7857% HB2058
(h)	Virgie Jackson Heirs, Devisees, Successors or Assigns			
(h.3)	Clarence E. Jackson Heirs, Devisees, Successors or Assigns			
(h.3.1)	Gladys Marie Jackson Heirs, Devisees, Successors or Assigns			
(h.3.1.1)	Gail Clark 716 S. Windsor Rd Olathe, KS 66061	0.001 acres 1/600 of 0.38 acres	0.0007%	0.1667% HB2058
(h.3.1.2)	Sundee Taylor 3100 Turner Rd SE, Sp # 614 Salem, OR 97302	0.001 acres 1/600 of 0.38 acres	0.0007%	0.1667% HB2058
(h.3.2)	Carole Jackson Bergstr, 41 Kohn, Germany 50739	0.006 acres 1/60 of 0.38 acres	0.0071%	1.6667% HB2058
(h.4)	Anna Marie Blankenship Heirs, Devisees, Successors or Assigns			
(h.4.1)	Virgus Blankenship 22646 Green Spring Rd Abingdon, VA 24211	0.010 acres 1/40 of 0.38 acres	0.0106%	2.5000% HB2058

Total Acres 0.278
Total Percent 0.3112%

INSTRUMENT #160001874
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
JULY 6, 2016 AT 02:42PM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT