

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: BB123

TRACT(S): 003A

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-07-0619-1943-01

APPLICANTS:

CNX Gas Company LLC on behalf of Alice L. Ware, Glenna Ruth Broderick, Linda R. Mitchell

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 01/15/2008, Recorded on 01/28/2008, Deed Book/Instrument No. 684, Page 611.
2. Supplemental Order, Recorded on 02/25/2011, Deed Book/Instrument No. 731, Page 0259.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 003A identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 003A 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:

Alice Lee Ware, Glenna Ruth Broderick, Linda R. Mitchell is entitled to 100% of the CBM royalties per House Bill 2058. Said bill 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.

RELIEF GRANTED:

VGOB Disbursement
Unit BB123

VGOB-07-0619-1943-01

Table 1

Tracts: 003A

VGOB Disbursement							
Unit BB123							
VGOB-07-0619-1943-01							
Table 1							
Tracts: 003A							
Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds
			in Tract	in Tract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				4.66000	
003A Tract 003A (total acreage)			4.66				
1	003A	Alice L. Ware\1328 WARE FARMS RDSRING CITYTN37381-4788	1/3	1.5533	100.00%	1.5533	33.33333%
2	003A	Glenna Ruth Broderick\116 Eagle Rock TrailHendersonvilleNC28739	1/3	1.5533	100.00%	1.5533	33.33333%
3	003A	Linda R. Mitchell\PO Box 10005DANVILLEVA24543-5001	1/3	1.5533	100.00%	1.5533	33.33333%

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 close 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 28 day of September, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

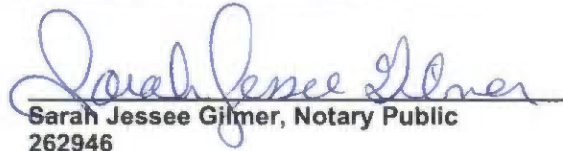
DONE AND PERFORMED this 28 day of September, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 28th day of September, 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 07-0619-1943-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 003A (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: BB123

RUSSELL 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(s) attributable to of Tract(s) 3A as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to the parties per House Bill 2058; Alice Lee Ware, Glenna Ruth Broderick, Linda R. Mitchell

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

Alice Lee Ware, Glenna Ruth Broderick, Linda R. Mitchell is entitled to 100% of the CBM royalties per House Bill 2058, Said bill 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.

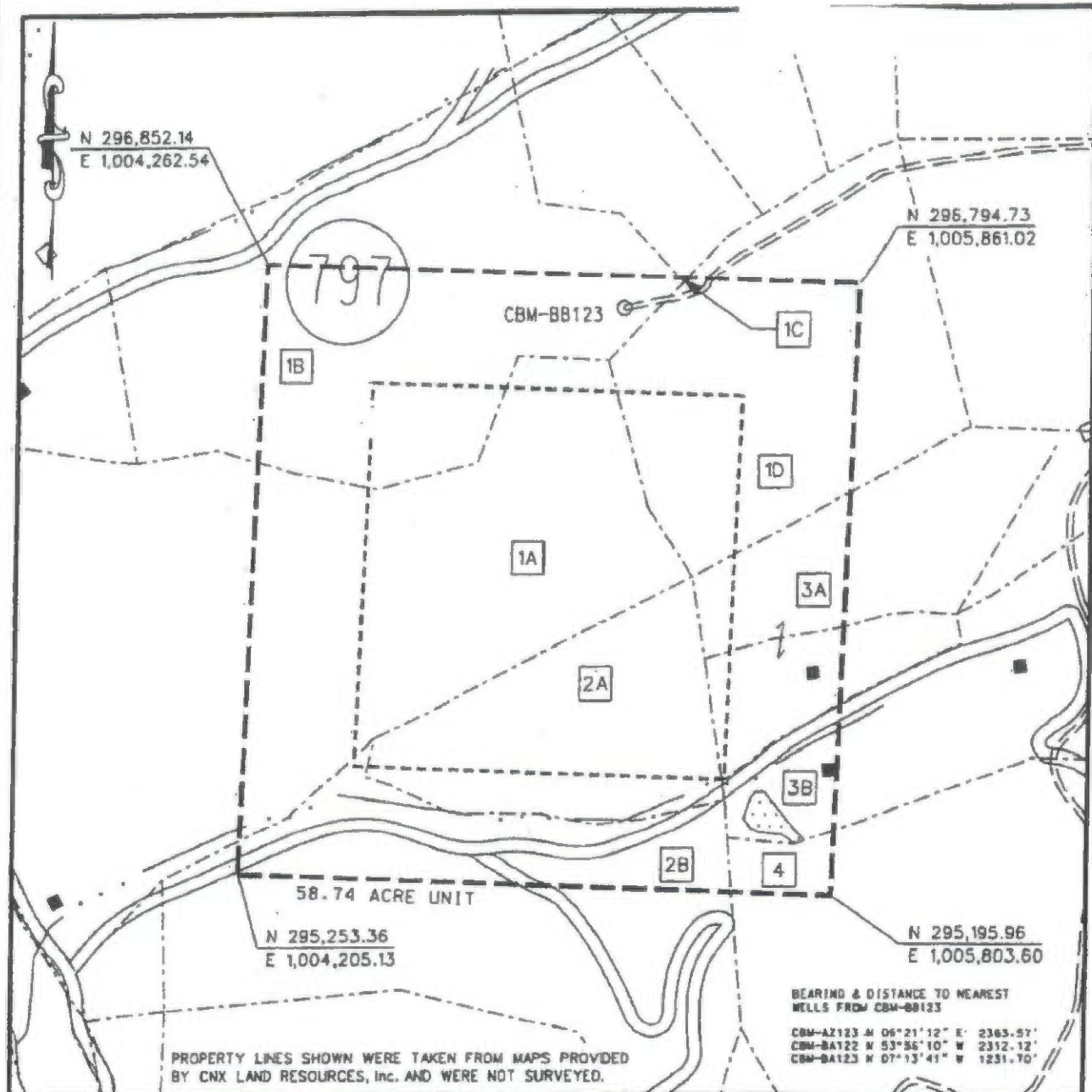


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT BB-123
FORCE POOLING
VGOB-07-0619-1943

Company CNX Gas Company LLC Well Name and Number UNIT BB123

Tract No. _____ Elevation _____ Quadrangle Monaker

County Russell District New Garden Scale 1" = 400' Date 5/7/07

This plot is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7 _____
Rev. 9/91

Claude D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Professional Engineer Seal)

CNX Gas Company LLC**Unit BB 123****Tract Identifications****(58.74 Acre Unit)**

- 1A. William R. McCall, et al (162 Acre Tract) – All Minerals (except 34/673 of Coal in Tiller and Above Seams)**
 Knox Creek Coal Corporation – Coal In Tiller and Above Seams (34/673)
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation – Coal In Tiller and Above Leased (107/120)
 Knox Creek Coal Corporation - CBM In Tiller and Above Seams Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased Below Tiller Seam (107/120)
 Bonita Y. (Metcalf) Ratliff - Surface
 17.83 acres 30.3541%
- 1B. William R. McCall, et al (162 Acre Tract) – All Minerals (except 34/673 of Coal in Tiller and Above Seams)**
 Knox Creek Coal Corporation – Coal In Tiller and Above Seams (34/673)
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation – Coal In Tiller and Above Leased (107/120)
 Knox Creek Coal Corporation - CBM In Tiller and Above Seams Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased Below Tiller Seam (107/120)
 Bruce A. Richardson, et ux - Surface
 9.90 acres 16.8539%
- 1C. William R. McCall, et al (162 Acre Tract) – All Minerals (except 34/673 of Coal in Tiller and Above Seams)**
 Knox Creek Coal Corporation – Coal In Tiller and Above Seams (34/673)
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation – Coal In Tiller and Above Leased (107/120)
 Knox Creek Coal Corporation - CBM In Tiller and Above Seams Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased Below Tiller Seam (107/120)
 Unknown Surface Owner
 0.01 acres 0.0170%
- 1D. William R. McCall, et al (162 Acre Tract) – All Minerals (except 34/673 of Coal in Tiller and Above Seams)**
 Knox Creek Coal Corporation – Coal In Tiller and Above Seams (34/673)
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation – Coal In Tiller and Above Leased (107/120)
 Knox Creek Coal Corporation - CBM In Tiller and Above Seams Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased Below Tiller Seam (107/120)
 Charles E. Robinson, et al - Surface
 8.99 acres 15.3047%

CNX Gas Company LLC**Unit BB 123**

Tract Identifications
(58.74 Acre Unit)

- 2A. Swords Creek Land Partnership Tr. 33 (27.65 Acre Tract) – All Minerals
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Rosemary Robinson - Surface
8.46 acres 14.4025%
- 2B. Swords Creek Land Partnership Tr. 33 (27.65 Acre Tract) – All Minerals
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Unknown Surface Owner
6.20 acres 10.5550%
- 3A. Swords Creek Land Partnership Tr. 34 (172.72 Acre Tract) – Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Alice Lee Ware, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
George P. Richardson - Surface
4.66 acres 7.9333%
- 3B. Swords Creek Land Partnership Tr. 34 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
George Robinson, et al (H. E. Robinson Heirs) – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.78 acres 3.0303%
4. Swords Creek Land Partnership Tr. 32 (174.56 Acre Tract) - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Charles E. Robinson, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.91 acres 1.5492%

Exhibit E
Unit BB-123
Docket #VGOB 07-0619-1943-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0794 PAGE 0400

	Acres in Unit	Interest in Unit
Escrowing not required		

Exhibit EE
Unit BB-123
Docket #VGOB 07-0619-1943-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

BOOK 0794 PAGE 0401

	Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #3A, 4.66 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.34
P.O. Box 29
Tazewell, VA 24651

4.66 acres

7.9333%

n/a

OIL & GAS OWNERSHIP

- (1) Alice Lee Ware, et al.
(aka Cecil B. Robinson Heirs)

4.66 acres

7.9333%

- (a) Alice Lee Ware
1328 Ware Farms Road
Spring City, TN 37381

1.55 acres
1/3 of 4.66 acres

2.6444%

33.3333%
HB2058

(Inherited an additional interest from Guy Eugene Robinson, per will)

- (c) Glenna Ruth Broderick
116 Eagle Rock Trail
Hendersonville, NC 28739

1.55 acres
1/3 of 4.66 acres

2.6444%

33.3333%
HB2058

(Inherited an additional interest from Guy Eugene Robinson, per will)

- (d) Linda R. Mitchell
P.O. Box 10005
Danville, VA 24543

1.55 acres
1/3 of 4.66 acres

2.6444%

33.3333%
HB2058

(Inherited an additional interest from Guy Eugene Robinson, per will)

Tract #3B, 1.78 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.34
P.O. Box 29
Tazewell, VA 24651

1.78 acres

3.0303%

n/a

OIL & GAS OWNERSHIP

- (1) George Robinson, et al.
(aka - H.E. Robinson Heirs, Devisees,
Successors or Assigns)

1.78 acres

3.0303%

n/a

- (a) Donna Marx Robinson
2153 Tumbleweed Dr.
Holiday, FL 34690-4540

0.89 acres
1/2 of 1.78 acres

1.5152%

n/a

- (b) George Robinson
2498 Kings Gap Road
Hamilton, GA 31811

0.89 acres
1/2 of 1.78 acres

1.5152%

n/a

Tract #4, 0.91 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.32
P.O. Box 29
Tazewell, VA 24651

0.91 acres

1.5492%

n/a

OIL & GAS OWNERSHIP

- (1) Charles E. Robinson, et al.
(99 Acre Tract)

0.91 acres

1.5492%

- (a) Charles Edwin Robinson
1209 Bay Ridge Drive
Benton, LA 71006

0.265 acres
7/24 of 0.91 acres

0.4518%

n/a

Exhibit EE
Unit 88-123
Docket #VGOB 07-0619-1943-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

BOOK 0794 PAGE 0402

	Acres In Unit	Interest In Unit	Percent of Escrow
(b) Steven Wayne Robinson 4703 Autumn Pine Lane Houston, TX 77084	0.265 acres 7/24 of 0.91 acres	0.4518%	n/a
(c) Mark Stilwell Robinson 1209 Bay Ridge Drive Benton, LA 71006	0.265 acres 7/24 of 0.91 acres	0.4518%	n/a

1501997

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 10-9 2015. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:59 o'clock A. M, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to:

Sally Kethan

TESTE: ANN S. McREYNOLDS, CLERK

BY:

Michelle Colley D. CLERK