

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/WEELL NAME: N73

TRACT(S): 1A, 1C, A portion of 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-09-0616-2523-01

APPLICANTS:

CNX Gas Company LLC on behalf of Audrey Jean Dye, Barbara McClanahan, Betty Stiltner,
CNX Gas Company LLC, Jeffery Kenneth Coleman, Madie Irene Ratliff, Mary Sanders,
Patricia Johnson, Russell Stiltner, Jr, Tammy Stiltner, Tonya Stiltner

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 08/31/2009, Recorded on 10/13/2009, Deed Book/Instrument No. 090003086.
2. Supplemental Order, Recorded on 09/27/2011, Deed Book/Instrument No. 110002354.

NOTICE:

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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) 1A, 1C, A portion of 4 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1A, 1C, A portion of 4 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. CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner is the gas claimant in Tracts 1A, 1C, portion of Tr. 4 As such CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner 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 a. CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

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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.

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DONE AND EXECUTED this 5 day of January, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 5 day of January, 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 5th day of January, 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 09-0616-2523-01**RELIEF SOUGHT:** (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1A, 1C, A portion of 4 (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:** N73**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 1A, 1C, and a portion of Tract 4, as depicted upon the annexed table; and
 (2) authorization to begin paying royalties directly to CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Virginia F. Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner.

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. CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner is the gas claimant in Tracts 1A, 1C, portion of Tr. 4 As such CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner 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 a. CNX Gas Company LLC, Madie Irene Ratliff, Audrey Dye, Mary S. Sanders, Betty Stiltner, Barbara McClanahan, Jeffery Coleman, Patricia Johnson, Russell Stiltner, Jr., Tonya Stiltner, Tammy Stiltner 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.

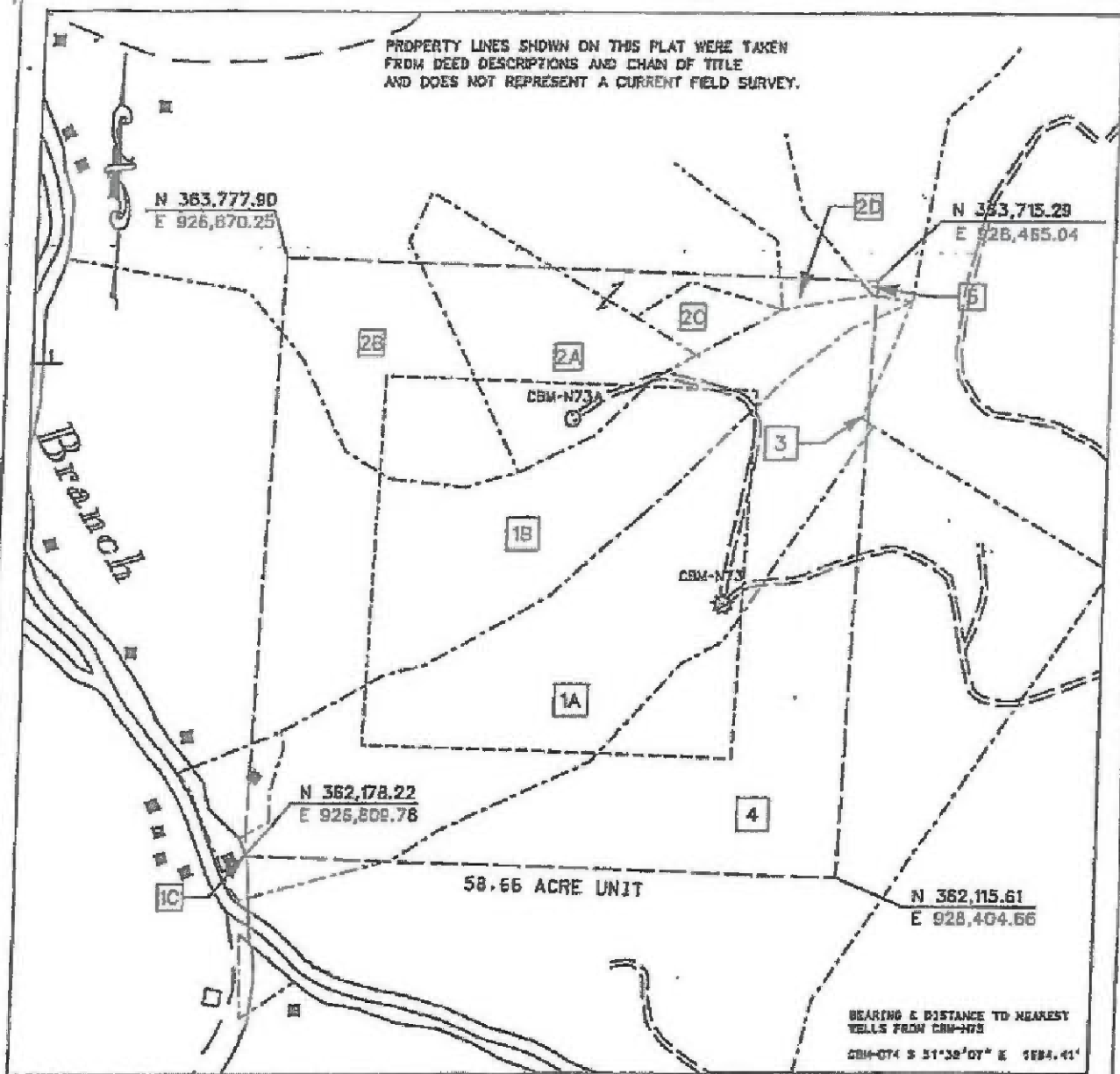


EXHIBIT A
NDRA FIELD
UNIT N73
FORCE POOLING
VGDB 09-0616-2523

Company CNX Gas Company LLC Well Name and Number UNIT N73
 Tract No. _____ Elevation _____ Quadrangle CHARMAN
 County BUCHANAN District ROCK LICK Scale: 1" = 400' BEAR
 This plat is a new plat _____ ; an updated plat X ; or final plat 035636
 Form DGO-GO-7 035636
 Rev. 9/91 6/15/09
 Licensed Professional Engineer or Licensed Land Surveyor PROFESSIONAL ENGINEER

CNX Gas Company LLC

UNIT N73

Tract Identifications

(68.66 Acre Unit)

- Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) -- Coal
 - Wellmore Energy Company, LLC -- Coal in Hagy and Above Seams Leased
 - Wellmore Energy Company, LLC -- Coal in Splashdam Seam Leased (Subleased from Penn Virginia Resource Partners)
 - CNX Gas Company LLC -- CBM Leased
 - CNX Gas Company LLC -- Surface and All Minerals except Coal
 - 17.61 acres 80.0265%
- Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) -- Coal
 - Wellmore Energy Company, LLC -- Coal in Hagy and Above Seams Leased
 - Wellmore Energy Company, LLC -- Coal in Splashdam Seam Leased (Subleased from Penn Virginia Resource Partners)
 - CNX Gas Company LLC -- CBM Leased
 - Burton McClanahan, et ux -- Surface and All Minerals except Coal
 - 15.46 acres 26.8882%
- Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) -- Coal
 - Wellmore Energy Company, LLC -- Coal in Hagy and Above Seams Leased
 - Wellmore Energy Company, LLC -- Coal in Splashdam Seam Leased (Subleased from Penn Virginia Resource Partners)
 - CNX Gas Company LLC -- CBM Leased
 - Madie Irene Ratliff -- Surface and All Minerals except Coal
 - CNX Gas Company LLC -- Oil, Gas and CBM Leased
 - 0.01 acres 0.0170%
- Melba Sexton Heirs, et al (89.00 Acre Tract) -- All Minerals
 - CNX Gas Company LLC -- Oil, Gas and CBM Leased
 - 18.00 acres 22.1618%
- Larry Dickey, et ux -- Surface Owner
 - Thelma L. Clevinger, et al -- Surface Owner
 - Unknown Surface Owner
 - Nellene Clevinger Hutchinson, et al -- Surface Owner
- Bull Creek Coal Company (H.W. & H.C. Pobst 177 Acre Tract) -- All Minerals
 - Wellmore Energy Company, LLC -- Coal in Hagy and Above Seams Leased
 - Wellmore Energy Company, LLC -- Coal in Splashdam Seam Leased (Subleased from Penn Virginia Resource Partners)
 - Chesapeake Appalachia LLC -- Oil and Gas Leased
 - CNX Gas Company LLC -- CBM Leased
 - Virgil Lloyd Webb -- Surface
 - 0.01 acres 0.0170%
- Bull Creek Coal Company (Levi and Josh Clevinger 68.79 Acre Tract) -- Coal
 - Wellmore Energy Company, LLC -- Coal in Hagy Seam Leased
 - CNX Gas Company LLC -- CBM Leased
 - Bobby R. Blankenship, et al -- Surface and All Minerals except Coal
 - CNX Gas Company LLC -- Oil, Gas and CBM Leased
 - 12.56 acres 21.4115%
- Melba Sexton Heirs, et al (71.00 Acre Tract) -- All Minerals
 - CNX Gas Company LLC -- Oil, Gas and CBM Leased
 - Nellene Clevinger Hutchinson, et al -- Surface
 - 0.02 acres 0.0341%

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Exhibit E
Unit N-73
Docket #VGOB 09-0616-2523-01
List of Conflicting Respondents that require escrow
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
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Tract #1B, 15.45 acresCOAL OWNERSHIP

(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	15.45 acres	26.3382%
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OIL & GAS OWNERSHIP

The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.

(1) Burton & Audrey McClanahan, t/e Rt.2 Box 392A Grundy, VA 24614	15.45 acres	26.3382%
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Tract #4, 12.56 acresCOAL OWNERSHIP

(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	12.56 acres	21.4115%
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OIL & GAS OWNERSHIP

The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.

(1) Bobby R. Blankenship, et al.	12.56 acres	21.4115%
(a) Bobby & Peggy Blankenship 182 Romia Road Rowe, VA 24648	8.373 acres 2/3 of 12.56 acres	14.2743%
(d) Virginia F. Stiltner P.O. Box 55 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%

Exhibit EE
Unit N-73

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Docket #VGOB 09-0616-2523-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1A, 17.61 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	17.61 acres	30.0205%	
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	17.61 acres	30.0205%	38.5930% HB2058
<u>Tract #1C, 0.01 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	0.01 acres	0.0170%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Madie Irene Ratliff P.O. Box 482 Maxie, VA 24628	0.01 acres	0.0170%	0.0219% HB2058
<u>Tract #4, 12.56 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	12.56 acres	21.4115%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Bobby R. Blankenship, et al.	12.56 acres	21.4115%	
(b) Audrey Jean Dye P.O. Box 51 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%	1.8351% HB2058
(c) Mary S. Sanders 1143 Cove Hollow Road Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%	1.8351% HB2058
(e) Louise Coleman Heirs, Deviseses, Successors or Assigns			
(e.1) Barbara McClanahan P.O. Box 407 Grundy, VA 24641	0.419 acres 1/30 of 12.56 acres	0.7137%	0.9175% HB2058
(e.2) Jeffery Coleman 18475 John Ashley Drive Abingdon, VA 24211	0.419 acres 1/30 of 12.56 acres	0.7137%	0.9175% HB2058
(f) Russell Stiltner Heirs, Deviseses, Successors or Assigns			

Exhibit EE
Unit N-73

160000142

Docket #VGOB 09-0616-2523-01

List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit	Percent of Escrow
(f.1) Betty L. Stiltner P.O. Box 30 Maxie, VA 24628	0.698 acres 1/18 of 12.56 acres	1.1895%	1.5292% HB2058
(f.2) Patricia Johnson 108 Deaton Ave. Lincolnton, NC 28092	0.035 acres 1/360 of 12.56 acres	0.0595%	0.0765% HB2058
(f.3) Russell Stiltner, Jr. P.O. Box 2574 Grundy, VA 24614	0.035 acres 1/360 of 12.56 acres	0.0595%	0.0765% HB2058
(f.4) Tonya Stiltner 1171 Cove Hollow Road Maxie, VA 24628	0.035 acres 1/360 of 12.56 acres	0.0595%	0.0765% HB2058
(f.5) Tammy Dean Stiltner 2063 Old Rocklick Road Big Rock, VA 24603	0.035 acres 1/360 of 12.56 acres	0.0595%	0.0765% HB2058

INSTRUMENT #160000142
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
FEBRUARY 2, 2016 AT 02:42PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLP