

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

UNITWELL NAME: N73

TRACT(S): A portion of 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-09-0616-2523-02

APPLICANTS:

CNX Gas Company LLC on behalf of Virginia F. 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.
3. Disbursement Order -01 Executed 01/05/2016, Recorded on 02/02/2016, Deed Book/Instrument No. 160000142.

NOTICE:

160001555

- (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 4 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 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. Virginia Stillner is the gas claimant in Tracts portion of 4. As such Virginia Stillner 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 Virginia Stillner and not escrow same. See Exhibit EE annexed hereto.

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 24 day of August, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 24th day of August, 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, that he executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017

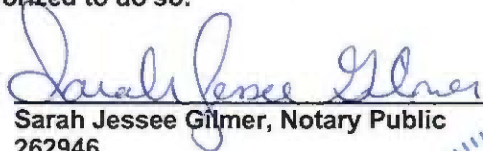
DONE AND PERFORMED this 25 day of August, 2016 by Order of the Virginia Gas and Oil Board.



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

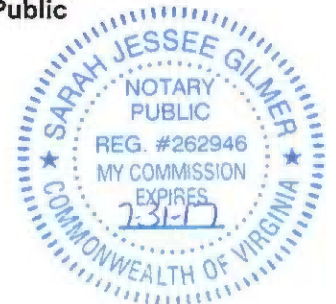
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 25th day of August, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he 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 09-0616-2523-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 4 (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: N73

BUCHANAN 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 Tract(s) portion of 4 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Virginia Stiltner; (3) Dismissal of Coal Owner(s): Bull Creek 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. Virginia Stiltner is the gas claimant in Tracts portion of 4. As such Virginia 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 Virginia 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.

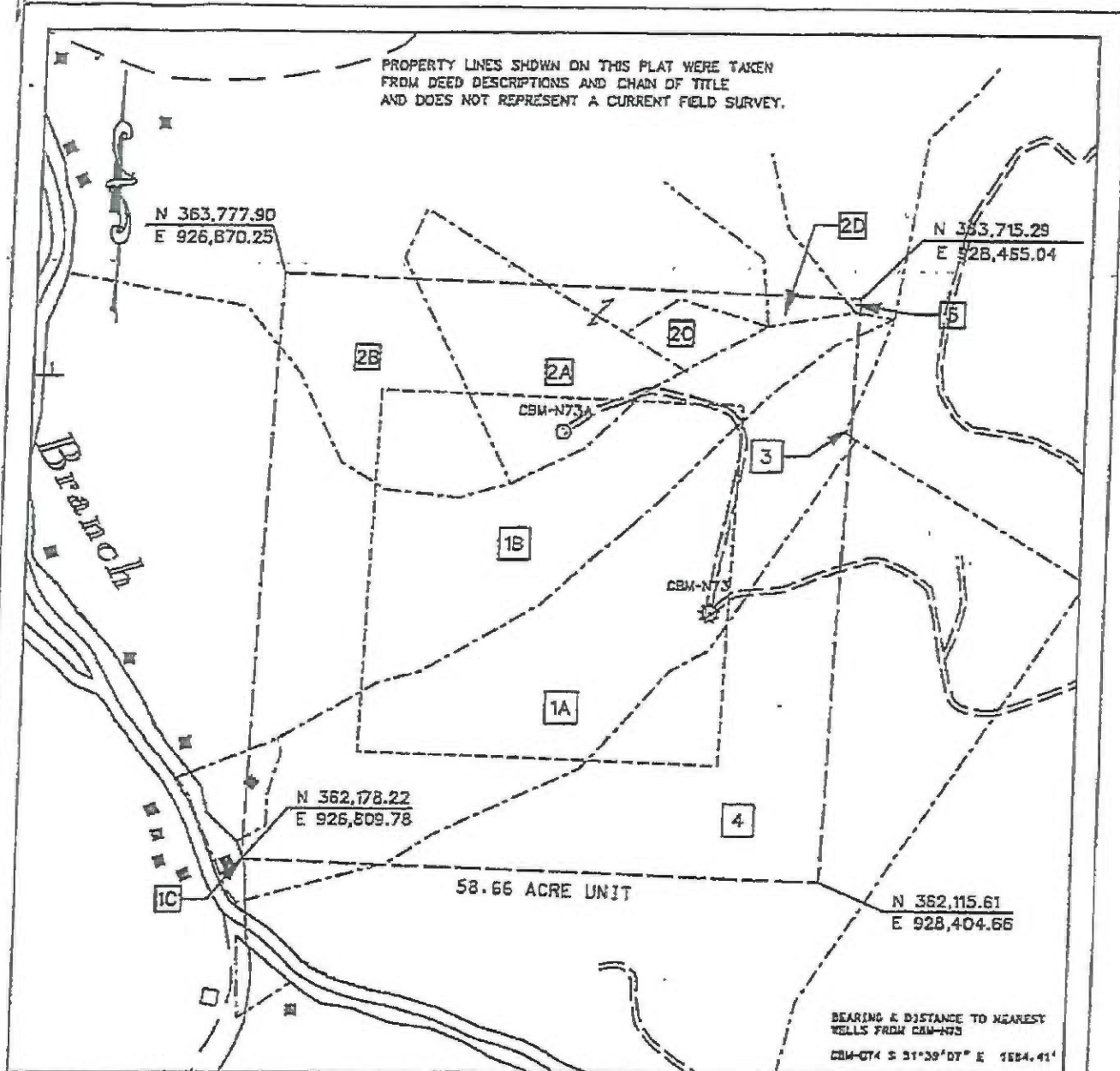
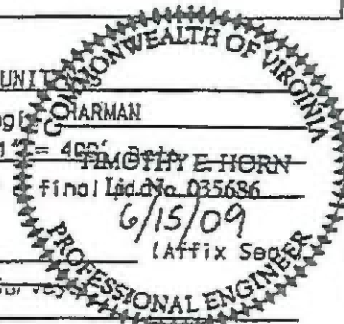


EXHIBIT A
NORA FIELD
UNIT N73
FORCE POOLING
VGDB 09-0616-2523

Company CNX Gas Company LLC Well Name and Number UNIT N73
 Tract No. _____ Elevation _____ Quadrangle CHARMAN
 County BUCHANAN District ROCK LICK Scale: 1" = 400'
 This plat is a new plat _____ ; an updated plat X ; or a final loc. 035636

Form DGO-60-7
Rev. 9/91

[Signature]
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

UNIT N73

Tract Identifications

(58.66 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 80.0205%
- 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
 - 15.45 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 Rathiff - Surface and All Minerals except Coal
 - CNX Gas Company LLC - Oil, Gas and CBM Leased
 - 0.01 acres 0.0170%
 - Melba Sexton Hairs, et al (59.00 Acre Tract) - All Minerals
 - CNX Gas Company LLC - Oil, Gas and CBM Leased
 - 18.00 acres 22.1616%
 - 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 (Lovi 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 Hairs, 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%

Exhibit E
Unit N-73
Docket #VGO8 09-0616-2523-02
List of Conflicting Respondents that require escrow
(58.66 Acre Tract)

	Acres In Unit	Percent of Unit
<u>Tract #1B, 15.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	15.45 acres	26.3382%
<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) Burton & Audrey McClanahan, t/e Rt.2 Box 392A Grundy, VA 24614	15.45 acres	26.3382%
<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>		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.</i>		
(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%
Total Acres		23.823
Total Percent		40.6126%

Exhibit EE
Unit N-73
Docket #VGOB 09-0616-2523-02
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.66 Acre Tract)

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	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%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	17.61 acres	30.0205%	n/a
<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%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Madie Irene Ratliff P.O. Box 482 Maxie, VA 24628	0.01 acres	0.0170%	n/a
<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%	n/a
<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%	n/a
(c) Mary S. Sanders 1143 Cove Hollow Road Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%	n/a
(d) Virginia F. Stiltner P.O. Box 55 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%	3.3954% HB2058
(e) Louise Coleman Heirs, Devisees, 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%	n/a
(e.2) Jeffery Coleman 18475 John Ashley Drive Abingdon, VA 24211	0.419 acres 1/30 of 12.56 acres	0.7137%	n/a
(f) Russell Stiltner Heirs, Devisees, Successors or Assigns			

160001555

Exhibit EE

Unit N-73

Docket #VGOB 09-0616-2523-02

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%	n/a
(f.2) Patricia Johnson 108 Deaton Ave. Lincolnton, NC 28092	0.035 acres 1/360 of 12.56 acres	0.0595%	n/a
(f.3) Russell Stiltner, Jr. P.O. Box 2574 Grundy, VA 24614	0.035 acres 1/360 of 12.56 acres	0.0595%	n/a
(f.4) Tonya Stiltner 1171 Cove Hollow Road Maxie, VA 24628	0.035 acres 1/360 of 12.56 acres	0.0595%	n/a
(f.5) Tammy Dean Stiltner 2063 Old Rocklick Road Big Rock, VA 24603	0.035 acres 1/360 of 12.56 acres	0.0595%	n/a

	<u>CONFLICTS RESOLVED</u>
Total Acres	21.807
Total Percent	37.1747%

INSTRUMENT #160001555
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 30, 2016 AT 02:02PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB