



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: A32

TRACT(S): A portion of 4

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-12-0417-3047-02

APPLICANTS: CNX Gas Company LLC on behalf of Carolyn Gaik, Cary Bowles, Lawrence Snyder

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
November 21, 2017

APPEARANCES: Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 06/14/2012, Recorded on 08/08/2012, Deed Book/Instrument No. 120001617.
2. Supplemental Order Executed 04/12/2013, Recorded on 05/13/2013, Deed Book/Instrument No. 130000829.
3. Disbursement Order -01 Executed 08/19/2015, Recorded on 08/26/2015, Deed Book/Instrument No. 150001403.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the November 21, 2017 hearing and considered whether to:

- (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:

Royalties attributable to Cary Bowles, Carolyn Gaik, and Lawrence Snyder's interest can be released due to the fact they have been recently located at the addresses shown on the attached Exhibit EE. The Applicant and Designated Operator are also requesting that they be allowed to pay royalties directly to Cary Bowles, Carolyn Gaik, and Lawrence Snyder. The annexed Exhibit A-1, further specifies how said royalties are to be paid.

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:

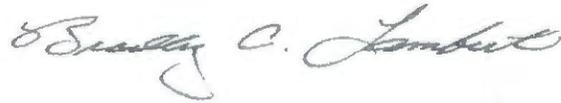
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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.

170002569

DONE AND EXECUTED this 28 day of November, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

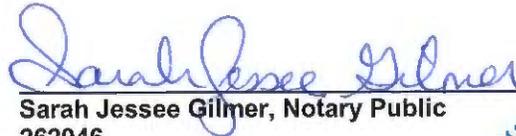
DONE AND PERFORMED this 28 day of November, 2017 by Order of the Virginia Gas and Oil Board.



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

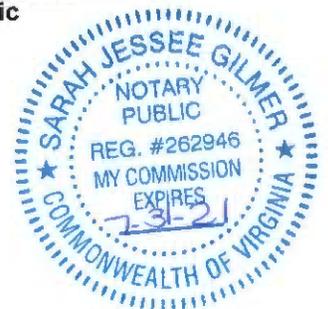
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 28th day of November, 2017, 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 12-0417-3047-02

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: November 21, 2017

DRILLING UNIT: A32

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, attributable to a portion of Tract 4, as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the party/parties previously listed as unlocatable: Cary Bowles, Carolyn Gaik, and Lawrence Snyder.

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

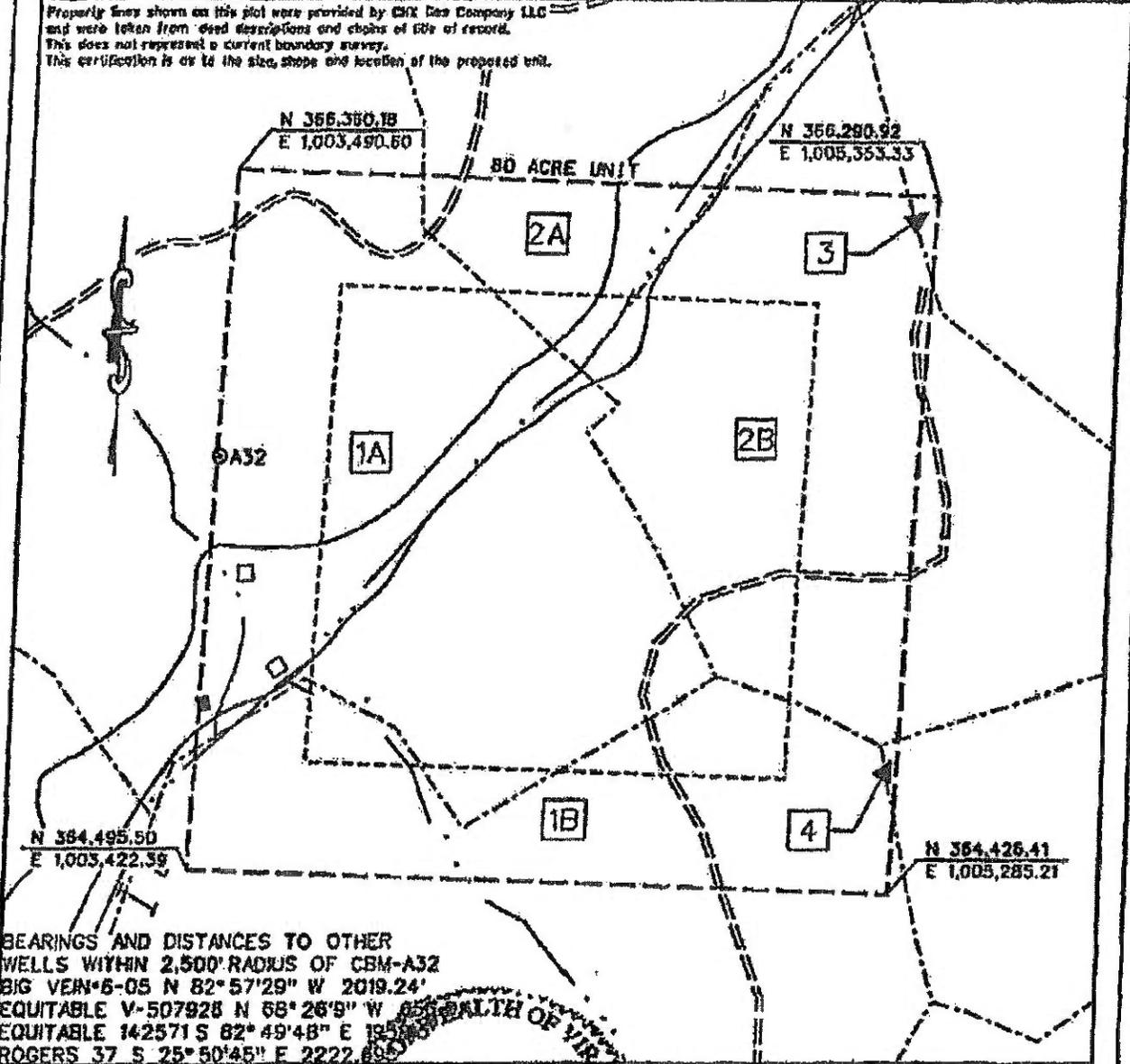
Royalties attributable to Cary Bowles, Carolyn Gaik, and Lawrence Snyder's interest can be released due to the fact they have been recently located at the addresses shown on the attached Exhibit EE. The Applicant and Designated Operator are also requesting that they be allowed to pay royalties directly to Cary Bowles, Carolyn Gaik, and Lawrence Snyder. The annexed Exhibit A-1, 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.

170002569

Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-A32
BIG VEN-6-05 N 82° 57' 29" W 2019.24'
EQUITABLE V-507928 N 68° 26' 9" W 1555.00'
EQUITABLE 142571 S 82° 49' 48" E 1555.00'
ROGERS 37 S 25° 50' 45" E 2222.89'

○ CBM WELL
● PROPOSED CBM WELL

Richard C. Murphy
RICHARD C. MURPHY
Lic. No. 041898
03-09-12
PROFESSIONAL ENGINEER

EXHIBIT A
OAKWOOD FIELD
UNIT A32
FORCE POOLING
VG08-12-0417-3047

Company CNX Gas Company LLC Well Name and Number UNIT A32
Tract No. _____ Elevation _____ Quadrangle PATTERSON
County BUCHANAN District GARDEN Scale: 1" = 400' Date _____
This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGO-GO-7 *Richard C. Murphy* (Affix Seal)
Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC
UNIT A32
Tract Identifications**

1. **LBR Holdings, LLC (211.80 Acre Tract) – All Coal**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased (6/7)
 Reserve Coal Properties Company – P-3 Seam Subleased (6/7)
 Jewell Smokeless Coal Corporation – Coal in Jawbone Seam and Above Leased (6/7)
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil and Gas Leased (64.2857%)
 CNX Gas Company LLC – CBM Leased (Geomet Farmout) (64.2857%)
 61.99 acres 64.9875%

- 1A. Kevin Keen, et al - Surface
- 1B. Kevin Keen, et al - Surface

2. **Cliff Investment Group, LLC, et al (74.10 Acre Tract) – All Minerals**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased (50%)
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)
 27.70 acres 34.6250%

- 2A. Unknown Surface Owner
- 2B. Unknown Surface Owner

3. **LBR Holdings, LLC (85.50 Acre Tract) – All Coal**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
 Reserve Coal Properties Company – P-3 Seam Subleased
 Jewell Smokeless Coal Corporation – Coal in Jawbone Seam and Above Leased
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil and Gas Leased (75%)
 CNX Gas Company LLC – CBM Leased (Geomet Farmout) (75%)
 Unknown Surface Owner
 0.21 acres 0.2625%

4. **Muriel R. Short, et al (30 Acre Tract) – All Minerals**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased (62.12%)
 Unknown Surface Owner
 0.10 acres 0.1250%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Page 1 of 1

March 14, 2012

Exhibit E
Unit A-32
Docket # VGOB 12-0417-3047-02
List of Respondents that require escrow

170002569

| | Acres in Unit | Percent of Unit |
|----------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------|
| Tract #4, 0.10 Acres | | |
| Escrow due to Unknown/Unlocatable | | |
| COAL OWNERSHIP | | |
| (1) Muriel R. Short, et al (30 Acre Tract) | 0.10 acres | 0.1250% |
| (a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2) | | |
| (a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns | | |
| (a.1.3) Joe Ray Heirs, Devisees, Successors, or Assigns <i>Documentation Pending</i> | 0.0125 acres 1/8 of 0.10 acres | 0.0156% |
| (b) George Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1.2) Roy Tolliver | <i>Conveyed interest (DB 263/401)</i> | |
| (b.1.2.2) James Ellenburg 11599 Keran St S. Salem, OH 45681 <i>(Deceased - Documentation Pending)</i> | 0.0019 acres 1/52 of 0.10 acres | 0.0024% |
| (b.1.3) Ullis Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns | | |
| (b.1.6.2.3) Cynthia Rhodes 146 Oak St Fairborn, OH 45324 | 0.0005 acres 1/208 of 0.10 acres | 0.0006% |
| (b.1.6.2.4) Verna Napler 4303 Dayton Road Springfield, OH 45502 | 0.0005 acres 1/208 of 0.10 acres | 0.0006% |
| (b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>(Documentation Pending 6/7/12)</i> | 0.0004 acres 1/260 of 0.10 acres | 0.0005% |
| (b.1.8.1.1) Robert L. Graves Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.1.1.1) Robert Graves, Jr 8619 Camp Creek Rd Lucasville, OH 45648 | | |
| (b.1.8.1.1.2) James Graves 1662 Lapperell rd Peebles, OH 45660 | | |
| (b.1.8.1.1.3) Tammy Green <i>Address Unknown</i> | | |
| (b.1.8.1.1.4) Charles Robinson Heirs, Devisees, Successors or Assign | 0.0001 acres 1/780 of 0.10 acres | 0.0002% |
| (b.1.8.1.1.4.1) Pamela Jo Robinson 1029 Greenlee Rd Seaman, OH 45679 | | |

Exhibit E
Unit A-32
Docket # VGOB 12-0417-3047-02
List of Respondents that require escrow

170002569

| | Acres in Unit | Percent of Unit |
|---------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------|
| (b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.2.1) Jannet Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.2.1.3) Jody J. Smith 2731 Rainbow Trail Waverly, OH 45690 | 0.0002 acres 1/468 of 0.10 acres | 0.0003% |
| (b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.6.1) Troy Smith Address Unknown | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.2) Terry Smith Address Unknown | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.3) Chrystal Smith Address Unknown | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.4) Todd Smith Address Unknown | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns | | |
| (b.1.13.3) Rodney B Snyder Terez Krt. 39 3/3 H067 Budapest, Hungary | 0.0013 acres 1/78 of 0.10 acres | 0.0016% |
| <u>OIL & GAS OWNERSHIP</u> | | |
| (1) Muriel R. Short, et al (30 Acre Tract) | 0.10 acres | 0.1250% |
| (a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2) | | |
| (a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns | | |
| (a.1.3) Joe Ray Heirs, Devisees, Successors, or Assigns Documentation Pending | 0.0125 acres 1/8 of 0.10 acres | 0.0156% |
| (b) George Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1.2) Roy Tolliver | <i>Conveyed interest (DB 263/401)</i> | |
| (b.1.2.2) James Ellenburg 11599 Keran St S. Salem, OH 45681 (Deceased - Documentation Pending) | 0.0019 acres 1/52 of 0.10 acres | 0.0024% |
| (b.1.3) Ullis Tolliver Heirs, Devisees, Successors or Assigns | | |
| (b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns | | |
| (b.1.6.2.3) Cynthia Rhodes 146 Oak St Fairborn, OH 45324 | 0.0005 acres 1/208 of 0.10 acres | 0.0006% |

Exhibit E
Unit A-32
Docket # VGOB 12-0417-3047-02
List of Respondents that require escrow

170002569

| | Acres in Unit | Percent of Unit |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (b.1.6.2.4) Verna Napler 4303 Dayton Road Springfield, OH 45502 | 0.0005 acres 1/208 of 0.10 acres | 0.0006% |
| (b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>(Documentation Pending 6/7/12)</i> | 0.0004 acres 1/260 of 0.10 acres | 0.0005% |
| (b.1.8.1.1) Robert L. Graves Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.1.1.1) Robert Graves, Jr 8819 Camp Creek Rd Lucasville, OH 45648 | | |
| (b.1.8.1.1.2) James Graves 1662 Lapperell rd Peebles, OH 45660 | | |
| (b.1.8.1.1.3) Tammy Green <i>Address Unknown</i> | | |
| (b.1.8.1.1.4) Charles Robinson Heirs, Devisees, Successors or Assign | 0.0001 acres 1/780 of 0.10 acres | 0.0002% |
| (b.1.8.1.1.4.1) Pamela Jo Robinson 1029 Greenlee Rd Seaman, OH 45679 | | |
| (b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.2.1) Jannet Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.2.1.3) Jody J. Smith 2731 Rainbow Trail Waverly, OH 45690 | 0.0002 acres 1/468 of 0.10 acres | 0.0003% |
| (b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns | | |
| (b.1.8.6.1) Troy Smith <i>Address Unknown</i> | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.2) Terry Smith <i>Address Unknown</i> | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.3) Chrystal Smith <i>Address Unknown</i> | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.8.6.4) Todd Smith <i>Address Unknown</i> | 0.0002 acres 1/624 of 0.10 acres | 0.0002% |
| (b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns | | |
| (b.1.13.3) Rodney B Snyder Terez Krit. 39 3/3 H067 Budapest, Hungary | 0.0013 acres 1/78 of 0.10 acres | 0.0016% |
| <u>TOTAL CONFLICTS:</u> | | |
| | Acreage in Unit | 0.0180 |
| | Percentage of Unit | 0.0225% |

Exhibit EE
Unit A-32
Docket # VGOB 12-0417-3047-02
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

170002569

| | Acres in Unit | Percent of Unit | Percent of Escrow |
|-----------------------------------------------------------------------------------------|-----------------------------------|-------------------|-------------------|
| <u>Tract #1, 51.99 Acres</u> | | | |
| <u>COAL OWNERSHIP</u> | | | |
| (1) LBR Holdings, LLC, et al. <i>(211.80 Acre Tract)</i> | 51.99 acres | 64.9875% | |
| (a) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 | 13.00 acres 1/4 of 51.99 acres | 16.2469% | n/a |
| <u>OIL & GAS OWNERSHIP</u> | | | |
| (1) LBR Holdings, LLC, et al. <i>(211.80 Acre Tract)</i> | 51.99 acres | 64.9875% | |
| (b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104 | 1.62 acres 1/32 of 51.99 acres | 2.0309% | n/a |
| (c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226 | 1.62 acres 1/32 of 51.99 acres | 2.0309% | n/a |
| (d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530 | 1.62 acres 1/32 of 51.99 acres | 2.0309% | n/a |
| (e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 33138 | 1.62 acres 1/32 of 51.99 acres | 2.0309% | n/a |
| (f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423 | 2.17 acres 1/24 of 51.99 acres | 2.7078% | n/a |
| (g) Jason Poulos 10870 SW 95 St. Miami, FL 33176 | 2.17 acres 1/24 of 51.99 acres | 2.7078% | n/a |
| (h) Pamela Poulos 2016 Revocable Trust 5000 SW 83rd St. Miami, FL 33143-8510 | 2.17 acres 1/24 of 51.99 acres | 2.7078% | n/a |
| <i>*Prevailing plaintiff under Case No. 550-13 Awarded 100% of the CBM royalty.</i> | | | |
| | Acres Percent | 13.00 16.2469% | |

Tract #3, 0.21 Acres

COAL OWNERSHIP

| | | | |
|---------------------------------------------------------------------|---------------------------------|---------|-----|
| (1) LBR Holdings, LLC, et al. <i>(85.50 Acre Tract)</i> | 0.21 acres | 0.2625% | |
| (a) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 | 0.05 acres 1/4 of 0.21 acres | 0.0656% | n/a |

OIL & GAS OWNERSHIP

| | | | |
|------------------------------------------------------------------|----------------------------------|---------|-----|
| (1) LBR Holdings, LLC, et al. <i>(85.50 Acre Tract)</i> | 0.21 acres | 0.2625% | |
| (b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104 | 0.01 acres 1/32 of 0.21 acres | 0.0082% | n/a |

Exhibit EE
 Unit A-32
 Docket # VGOB 12-0417-3047-02
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

| | Acres in Unit | Percent of Unit | Percent of Escrow |
|---------------------------------------------------------------------------------|-----------------------------------------------|-----------------|-------------------|
| (b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns | | | |
| (b.1.11.2) Cary Bowles 804 Margaret Dr Kerrville, TX 78028 | 0.0013 acres 1/78 of 0.10 acres | 0.0016% | 5.8541% |
| (b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns | | | |
| (b.1.13.1) Carolyn S. Gaik 775 Yates Circle Clarksville, GA 30523 | 0.0013 acres 1/78 of 0.10 acres | 0.0016% | 5.8541% |
| (b.1.13.2) Lawrence B Snyder 5719 Roscoe Rd Lewisburg, OH 45338 | 0.0013 acres 1/78 of 0.10 acres | 0.0016% | 5.8541% |
| | Acres 0.0038 Percent 0.0048% | | |
| <u>TOTAL CONFLICTS RESOLVED:</u> | | | |
| | Acreage in Unit 13.0538 Percentage of Unit | 16.3173% | |

INSTRUMENT 170002569
 RECORDED IN THE CLERK'S OFFICE OF
 BUCHANAN COUNTY CIRCUIT COURT ON
 December 11, 2017 AT 09:23 AM
 BEVERLY S. TILLER, CLERK
 RECORDED BY: CXE