

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: V37

TRACT(S): 3A, 3D

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-98-0324-0639-03

APPLICANTS: CNX Gas Company LLC on behalf of CNX Gas Company LLC, Hurt McGuire Land Trust, Winfred "Mack" Osborne

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
December 15, 2015

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 05/26/1998, Recorded on 06/05/1998, Deed Book/Instrument No. 477, Page 123.
2. Supplemental Order Executed 08/28/1998, Recorded on 09/02/1998, Deed Book/Instrument No. 481, Page 151.
3. Disbursement Order -01 Executed 05/10/2010, Recorded on 05/26/2010, Deed Book/Instrument No. 100001389.

NOTICE:

150002117

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the December 15, 2015 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) 3A, 3D identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3A, 3D 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:

Hurt McGuire Land Trust, Winfred "Mack" Osborne and CNX Gas Company LLC; have entered into royalty split agreement(s). The Annexed Exhibit A-1, specifies how said royalties are to be divided and paid.

RELIEF GRANTED:

VGOB Disbursement

Unit V37

VGOB-98-0324-0639-03

Table 1

Tracts: 3A, 3D

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty Split		Escrowed Acres		Percent of Escrowed Funds	
			In Tract	in Tract	in Tract	Agreement	Disbursed	Disbursed	Disbursed	Disbursed		
			5.10									
3A	Tract 3A (total acreage)											
1	3A	Hurt McGuire Land Trust\PO Box 1067, Bluefield, VA 24605-4067		5.1000	50.00%	2.5500			2.5500	42.9293%		
2	3A	Winfred "Mack" Osborne\3375 Osborne Mountain Road, Raven, VA 24639		5.1000	50.00%	2.5500			2.5500	42.9293%		
			0.62									
3D	Tract 3D (total acreage)											
1	3D	Hurt McGuire Land Trust\PO Box 1067, Bluefield, VA 24605-4067		0.6200	50.00%	0.3100			0.3100	5.2189%		
2	3D	CNX Gas Company LLC\P. O. Box 643830, Pittsburgh, PA 15264-3830		0.6200	50.00%	0.3100			0.3100	5.2189%		

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.

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DONE AND EXECUTED this 16 day of December, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

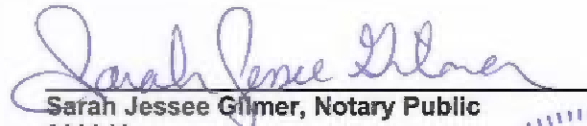
DONE AND PERFORMED this 16 day of December, 2015 by Order of the Virginia Gas and Oil Board.



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

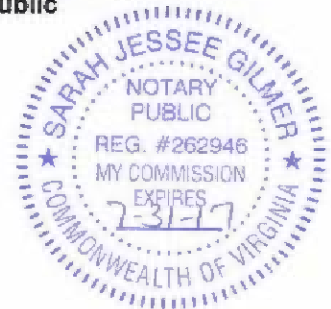
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 16th day of December, 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 98-0324-0639-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3A, 3D (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: December 15, 2015

DRILLING UNIT: V37

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 Tracts 3A & 3D, as depicted upon the annexed Exhibit A-1. (Royalties currently being paid under BUC1SGU2, VGOB 08-1118-2367).

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)

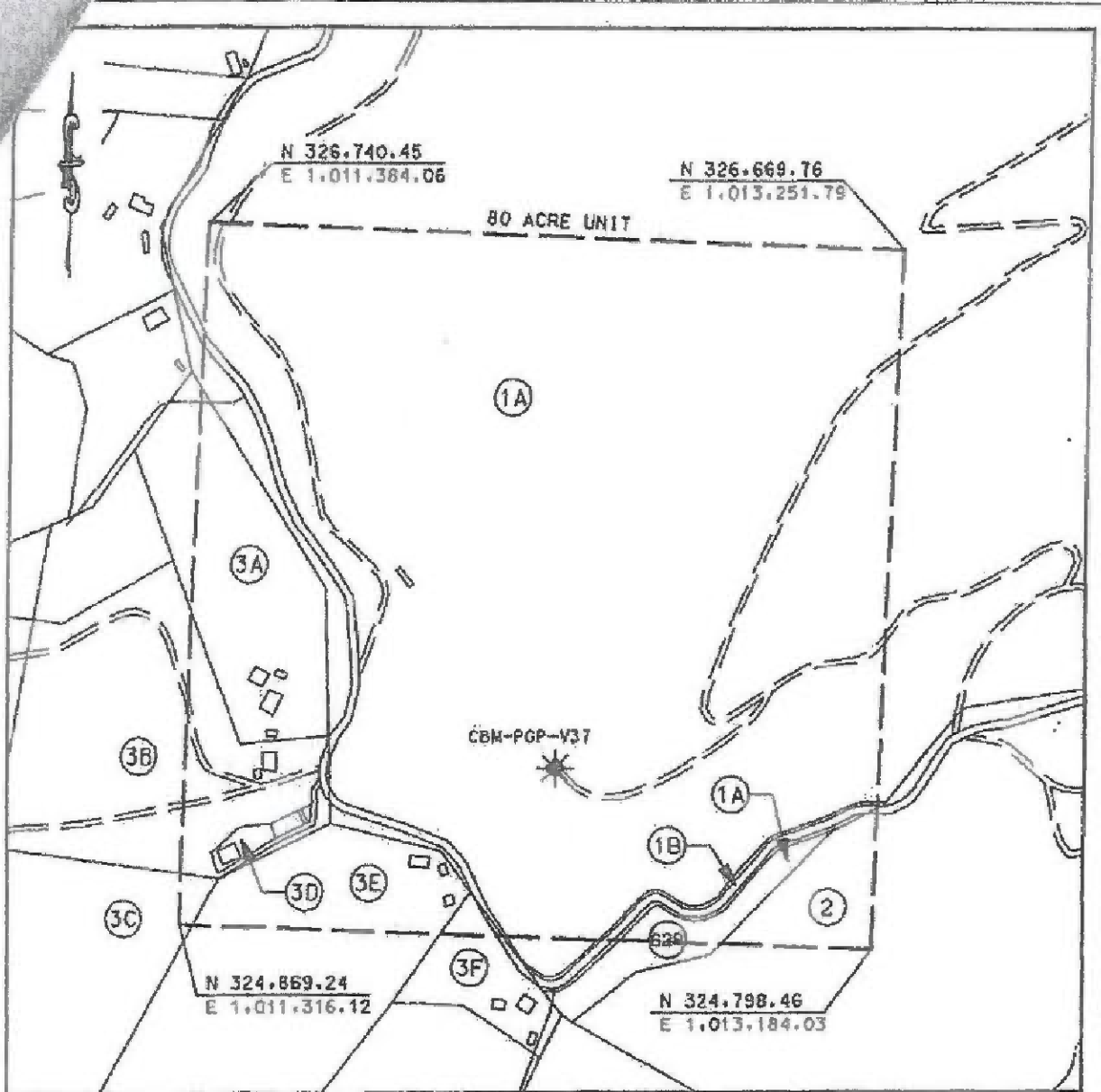
Coalbed Methane

5. Factual basis for relief requested

Hurt McGuire Land Trust, Winfred "Mack" Osborne and CNX Gas Company LLC; have entered into royalty split agreement(s). The Annexed Exhibit A-1, specifies how said royalties are to be divided and paid.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.



LEGEND



-  TRACT LAND HOOK
-  TRACT LAND ID'S

EXHIBIT A
 OAKWOOD FIELD UNIT V-37
 FORCE POOLING
 VGOB-98-0324-0638

Company Pochohontas Gas Partnership Well Name and Number UNIT V37
 Tract No. _____ Elevation _____ Quadrangle Keen-Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 2/3/98
 This plat is a new plat X; an updated plat _____; or a final plat _____

Form DGO-60-7 Rev. 9/91 Charles O. May (Affix Seal)
 Licensed Professional Engineer or Licensed Land Surveyor

POCAHONTAS GAS PARTNERSHIP
UNIT V-37
Tract Identification

- 1A. Coal Mountain Mining - Tr 26 - Fee
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Lessee
 65.62 acres 62.0250%
- 1B. Virginia Department of Transportation - Surface
2. Commonwealth Coal Co. Tr 2 - Surface, Coal, Oil & Gas
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Lessee
 1.98 acres 2.4500%
- 3A. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Mack Osborne - Surface, Oil & Gas
 5.10 acres 6.3750%
- 3B. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Pocahontas Gas Partnership - Surface, Oil & Gas
 2.74 acres 3.4250%
- 3C. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Consolidation Coal Co. - Surface, Oil & Gas
 0.22 acres 0.2750%
- 3D. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Mountain Top Pentecostal Church - Surface, Oil & Gas
 0.62 acres 0.7750%

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**POCAHONTAS GAS PARTNERSHIP
UNIT V-37
Tract Identification**

- 3E. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Hubbard Osborne - Surface, Oil & Gas
3.52 acres 4.4000%
- 3F. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Thurman Burke - Surface, Oil & Gas
0.22 acres 0.2750%

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Exhibit E
 Unit V-37
 Docket # VGOB-98-0324-0639-02
 List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			1 Right 10.3146%	2 Right 2.0992%
<u>Tract #3F, 0.22 acres</u>				
COAL OWNERSHIP				
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.22 acres	0.2750%	0.02637%	0.00577%
OIL & GAS OWNERSHIP				
(1) Thurman Burke Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.22 acres	0.2750%	0.02637%	0.00577%
<u>TOTAL ACRES IN ESCROW:</u>				
	Acreage in Unit	0.2200		
	Percentage of Unit	0.2750%		

Exhibit EE
Unit V-37
Docket # VGOB-98-0324-0639-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			1 Right 10.3146%	2 Right 2.0992%	
<u>Tract #3A, 5.10 acres</u>					
COAL OWNERSHIP					
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	5.10 acres	6.3750%	0.65756%	0.13382%	42.9293% - 50%
OIL & GAS OWNERSHIP					
(1) Winfred "Mack" Osborne 3375 Osborne Mountain Road Raven, VA 24839	5.10 acres	6.3750%	0.65756%	0.13382%	42.9293% - 50%
<u>Tract #3B, 2.74 acres</u>					
COAL OWNERSHIP					
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	2.74 acres	3.4250%	0.35328%	0.07190%	n/a
OIL & GAS OWNERSHIP					
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 (aka Pocahontas Gas Partnership)	2.74 acres	3.4250%	0.35328%	0.07190%	n/a
<u>Tract #3C, 0.22 acres</u>					
COAL OWNERSHIP					
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.22 acres	0.2750%	0.02837%	0.00577%	n/a
OIL & GAS OWNERSHIP					
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 (aka Consolidation Coal Company)	0.22 acres	0.2750%	0.02837%	0.00577%	n/a
<u>Tract #3D, 0.62 acres</u>					
COAL OWNERSHIP					
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.62 acres	0.7750%	0.07994%	0.01627%	5.2188% - 50%
OIL & GAS OWNERSHIP					
(1) Trustees of Mountain Top Pentecostal Church Conveyed by Deed dated 11/28/2003 and recorded at DB594 PG409					
(a) Consolidation Coal Company <i>CNX Gas Company LLC acquired CBM pursuant to Master Separation Agreement dated Aug 1, 2005</i>					
(a.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	0.62 acres	0.7750%	0.07994%	0.01627%	5.2188% - 50%

Exhibit EE
 Unit V-37
 Docket # VGOB-98-0324-0639-02
 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			1 Right 10.3146%	2 Right 2.0992%	
<u>Tract #3E, 3.52 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	3.52 acres	4.4000%	0.45384%	0.09236%	n/a
<u>OIL & GAS OWNERSHIP</u>					
(1) Hubbard Osborne 3195 Osborne Mountain Road Raven, VA 24639	3.52 acres	4.4000%	0.45384%	0.09236%	n/a

INSTRUMENT #150002117
 RECORDED IN THE CLERK'S OFFICE OF
 BUCHANAN COUNTY ON
 DECEMBER 29, 2015 AT 12:14PM

BEVERLY S. TILLER, CLERK
 RECORDED BY: SLB