

120002415

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

JURISDICTION: Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: W-10

LOCATION: Buchanan County, Virginia

DOCKET NUMBER: **VGOB 91-0430-0109-03**

APPLICANTS: CNX Gas Company, LLC.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
September 18, 2012

APPEARANCES: Mark Swartz on behalf of CNX Gas Company, LLC

NOTICE:

The Unit Operator gave notice to Delmar Meadows and to themselves that the Board would consider its disbursement petition at the September 18, 2012 hearing and consider whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account and **Vacate** the order because the unit is 100% leased.
- (2) **Close** the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.1-361.22

Applicant has certified and represented to the Board that:

- (1) Refund of escrow payments heretofore deposited with the Board's Escrow Agent
- (2) Vacate the Board's Order as all individuals have voluntarily leased.

RELIEF GRANTED:

Because this unit is now 100% leased and is a voluntary unit, CNX Gas Company, LLC is asking that the funds in escrow be released to them. A pooling order and escrowing is no longer required.

**Refund 100% of the monies in escrow to CNX Gas Company, LLC,
Attention Anita Duty, 2481 John Nash Blvd., Bluefield, WV 24701**

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 above.

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 26 day of Sept, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 26th day of September, 2012, by Order of the Board.

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

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 26th day of September, 2012, 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 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 were authorized to do so.

Diane Davis
Diane Davis, Notary Public
174394

My commission expires: September 30, 2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 91-0430-0109-03

RELIEF SOUGHT:

- (1) REFUND OF ESCROW BALANCE
(2) VACATE ORDER

HEARING DATE: September 18, 2012

DRILLING UNIT: W-10

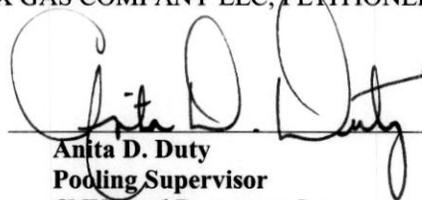
BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

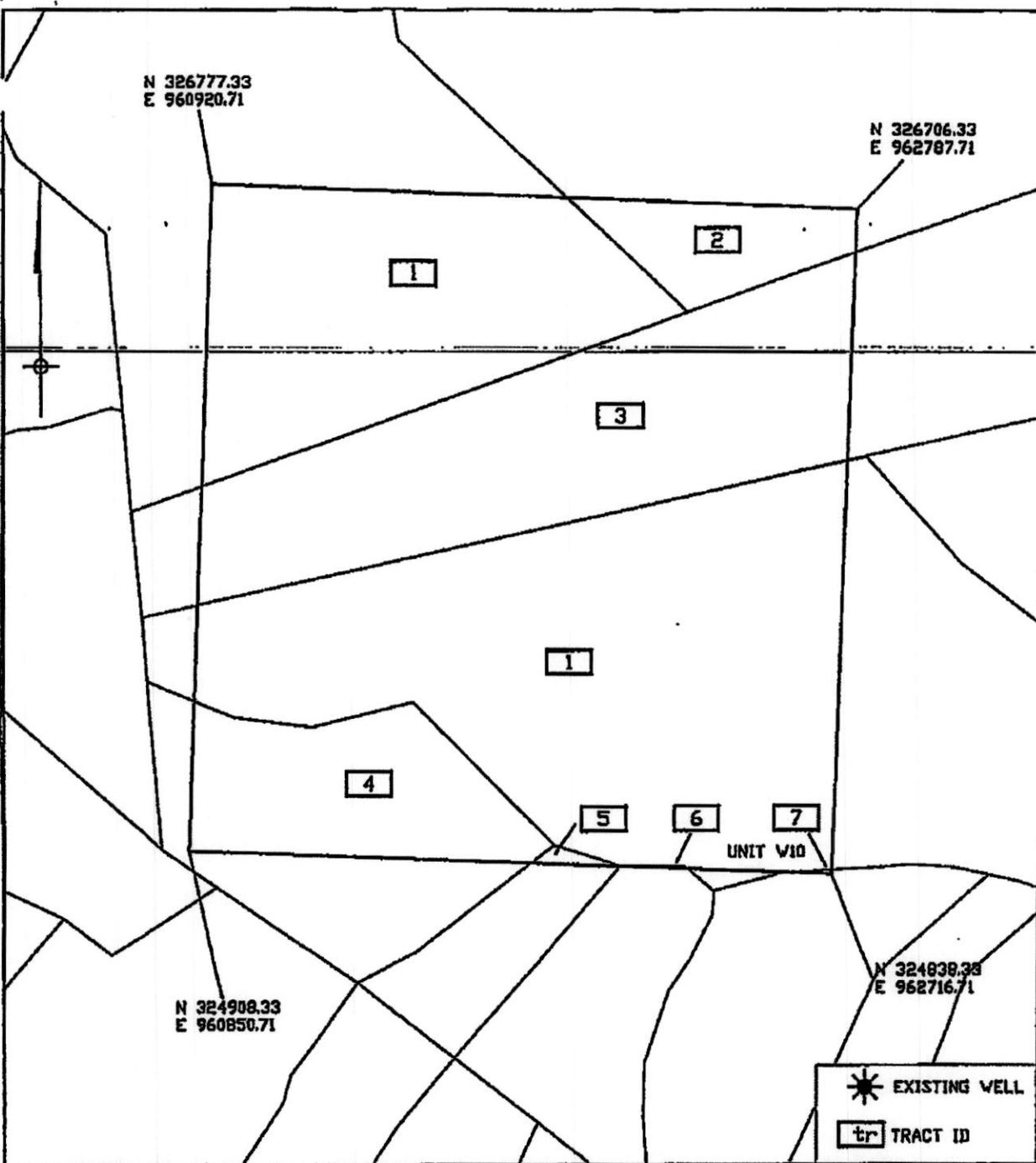
1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, WV 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
2. **Relief sought:** (1) Refund of escrow payments heretofore deposited with the Board's Escrow Agent(s). (2) Vacate the Board's Modified Order of March 19, 1997 as all individuals have voluntarily leased.
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:** All individuals have entered into a voluntary lease agreement. A pooling order and escrow is no longer required.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: _____



Anita D. Duty
Pooling Supervisor
CNX Land Resources, Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701



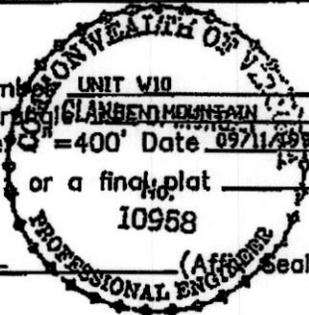
TRACT IDENTIFICATION MAP

Company BUCHANAN PRODUCTION CO. Well Name and Number UNIT W10
 Tract No. _____ Elevation _____ Quadrant GLANBENT MOUNTAIN
 County BUCHANAN District _____ Scale 1" = 400' Date 09/11/1996

This plat is a new plat xxx; an updated plat _____ or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Charles O. May
 Licensed Professional Engineer (Affiliated Seal)
 10958



BUCHANAN PRODUCTION COMPANY
Tract Identification
Unit No. W-10

1. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees
~~Jewell Smokeless Coal Co. - Tiller and above~~
Island Creek Coal - Coal below Tiller
Norman E. Morgan, et al - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
Buchanan Production Co. - Oil & Gas Lessee
48.55 acres - 60.6875%

2. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees
Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
Norman E. Morgan, et al - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
Buchanan Production Co. - Oil & Gas Lessee
3.65 acres - 4.5625%

3. Norman E. Morgan, et al - Surface, Coal, Oil & Gas
Coal Lessees
Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
Buchanan Production Co. - CBM Lessee
Buchanan Production Co. - Oil & Gas Lessee
19.64 acres - 24.5500%

4. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees
Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
George Jackson - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
7.97 acres - 9.9625%

5. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees
Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
Delmar Kyle Meadows - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
0.15 acres - 0.1875%

6. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees

Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
David H. Meadows - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
Buchanan Production Co. - Oil & Gas Lessee
0.02 acres - 0.0250%

7. Landon Wyatt (Big Axe) Tr. 29, Coal
Coal Lessees
Jewell Smokeless Coal Co. - Tiller and above
Island Creek Coal - Coal below Tiller
Rachel Cook - Surface, Oil & Gas
Buchanan Production Co. - CBM Lessee
Buchanan Production Co. - Oil & Gas Lessee
0.02 acres - 0.0250%

Exhibit B-2
Unit W-10
VGOB-91-0430-0109-03
List of Respondents to be dismissed

	Net Acres in Unit	Interest in Unit	Reason for Dismissal
I. <u>OIL & GAS OWNERSHIP</u>			
<u>Tract #5 - 0.15 acres</u>			
(1) Delmar Kyle Meadows, et ux. P.O. Box 49 Mavisdale, VA 24627	0.15 acres	0.1875%	Leased

8

Exhibit B-3
Unit W-10
VGOB 91-0430-0109-03
List of Unleased Owners/Claimants

Net Acres
in Unit

Interest in
Unit

Unit is 100% Leased

INSTRUMENT #120002415
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
OCTOBER 19, 2012 AT 03:20PM

BEVERLY S. TILLER, CLERK
RECORDED BY: MXB

9

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Friday, November 02, 2012 8:38 AM
To: Hagy, Sharon (DMME)
Subject: New Transaction G5REIP2I57Q4XBXH-0003

Transaction details for Sharon Hagy(user shagy_1) _____

Job Id: G5REIP2I57Q4XBXH-0003

Date: Fri, Nov 2, at 08:38

Transaction Details:

Acknowledge Security Policy: I understand that this system is not intended for sensitive data.

Recipient's Email example- user1@virginia.gov, user2@virginia.gov:

AnitaDuty@consolenergy.com, dldavis@firstbank.com, gloria.clark@dmme.virginia.gov,
hilareymullins@consolenergy.com

Message - Describe file attachment: Please see recorded disbursement orders for the following dockets: 0109-03 0907-01 1399-01 2525-02 Let me know if you are unable to download the files. Thank you, Sharon

Notify me when the file is downloaded?: Yes

Pin: 920731

Files:

0109-03_Disbursement.tif
0907-01_Disbursement.tif
1399-01_Disbursement.tif
2525-02_Disbursement.tif

View details here

<<http://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=G5REIP2I57Q4XBXH>>

Total Estimated File Size: 458 KB

Total Number of Files: 4

Estimated Upload Time: 00:01:01



8000109 - W10 *Well Management Group*

Trade Date 11/06/2012
Settlement Date 11/06/2012
Time Modified 11/05/2012
Description VGOB Docket # 91-0430-0109-03
Well: W-10 Location: Buchanan Count...
Payee CNX Gas Company, LLC
FBO CNX Gas Company, LLC
Tax Year 2012
Transaction Type Distribution Per Virginia Gas & Oil Board

Less:

Check Number 31137
Gross Distribution \$729.76

Net Distribution \$729.76

8000109 - W10

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Settlement Date 11/06/2012
Time Modified 11/05/2012
Description VGOB Docket # 91-0430-0109-03
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Net Distribution \$729.76

THIS DOCUMENT HAS A MULTI-COLORED FACE THAT CHANGES COLOR GRADUALLY. SEE LIST OF SECURITY FEATURES ON THE BACK. DO NOT CASH UNLESS ALL ARE PRESENT.



TRUST DIVISION
38 E VALLEY DRIVE
BRISTOL, VA 24201
(866) 505-1496

11/06/2012

68-446
514

CHECK NO. 031137

8000109 - W10

Seven hundred twenty nine and 76/100

\$729.76
Dollars

PAY TO THE ORDER OF

CNX GAS COMPANY LLC
C/O ANITA DUTY
2481 JOHN NASH BLVD
BLUEFIELD WV 24701

⑈031137⑈ ⑆051404464⑆ 2001 004 7⑈



120002415

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA

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DOCKET NUMBER: VGOB 91-0430-0109-03

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HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
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APPEARANCES: Mark Swartz on behalf of CNX Gas Company, LLC

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Bradley C. Lambert
Chairman, Bradley C. Lambert

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

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COUNTY OF RUSSELL

Acknowledged on this 26th day of September, 2012, 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 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 were authorized to do so.

Diane Davis
Diane Davis, Notary Public
174394

My commission expires: September 30, 2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 91-0430-0109-03

RELIEF SOUGHT:

(1) REFUND OF ESCROW BALANCE
(2) VACATE ORDER

HEARING DATE: September 18, 2012

DRILLING UNIT: W-10

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, WV 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC., 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

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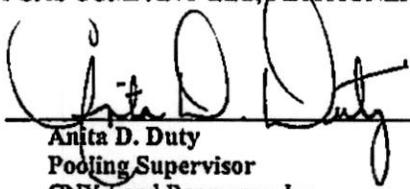
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 *et seq.*, 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

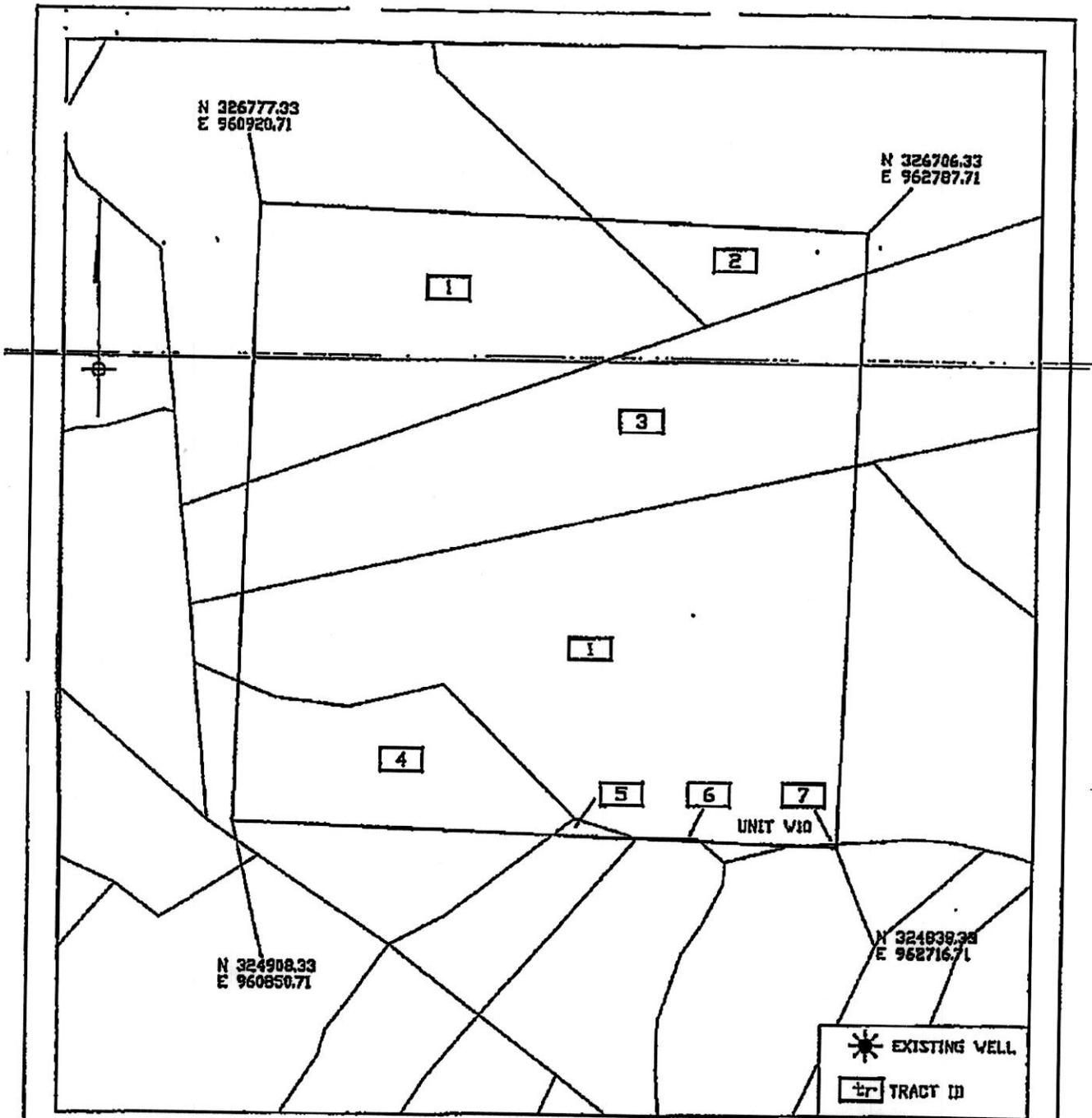
5. **Factual basis for relief requested:** All individuals have entered into a voluntary lease agreement. A pooling order and escrow is no longer required.

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

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: 

Anita D. Duty
Pooling Supervisor
CNX Land Resources, Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701

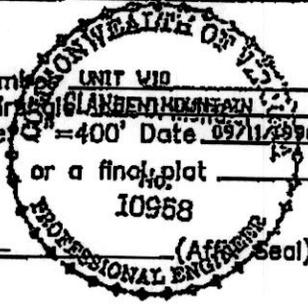


TRACT IDENTIFICATION MAP

Company BUCHANAN PRODUCTION CO. Well Name and Number UNIT WID
 Tract No. _____ Elevation _____ Quadrant GLANBETH HOLLOWAIN
 County BUCHANAN District _____ Scale 1" = 400' Date 09/11/1996
 This plat is a new plat xxx; an updated plat _____ or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Charles O. May
 Licensed Professional Engineer (Affiliate Seal)
 No. 10968



8

BUCHANAN PRODUCTION COMPANY
Tract Identification
Unit No. W-10

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Island Creek Coal - Coal below Tiller
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Island Creek Coal - Coal below Tiller
George Jackson - Surface, Oil & Gas
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0.15 acres - 0.1875%

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0.02 acres - 0.0250%

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Island Creek Coal - Coal below Tiller
Rachel Cook - Surface, Oil & Gas
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0.02 acres - 0.0250%

Exhibit B-2
Unit W-10
VGOB-91-0430-0109-03
List of Respondents to be dismissed

	Net Acres in Unit	Interest in Unit	Reason for Dismissal
I. <u>OIL & GAS OWNERSHIP</u>			
<u>Tract #5 - 0.15 acres</u>			
(1) Deimar Kyle Meadows, et ux. P.O. Box 49 Mavisdale, VA 24627	0.15 acres	0.1875%	Leased

8

Exhibit B-3
Unit W-10
VGOB 91-0430-0109-03
List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit
--	----------------------	---------------------

Unit is 100% Leased

INSTRUMENT #120002415
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
OCTOBER 19, 2012 AT 03:20PM

BEVERLY S. TILLER, CLERK
RECORDED BY: MXB