

130000164



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: V-15

TRACT(S): 02

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-95-0919-0518-01

APPLICANTS: CNX Gas Company LLC on behalf of CNX Gas Company, LLC, Harrison-Wyatt LLC

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

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 10/12/1995, Recorded on 10/26/1995, Deed Book/Instrument No. 441, Page 611.
2. Supplemental Order Executed 01/28/1997, Recorded on 02/03/1997, Deed Book/Instrument No. 458, Page 165.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the December 18, 2012 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) 02 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 02 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

Applicant has certified and represented to the Board that:

Harrison-Wyatt LLC and CNX Gas Company have entered into a 50/50 CBM deed. Said deed allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be paid.

RELIEF GRANTED:

VGOB Disbursement
 Unit V-16
 VGOB-95-0919-0518-01

Table 1
 Tracts: 02

			Fractional	Net Acreage	Royalty	Escrowed	Percent of
			Ownership	Ownership	Split	Acres	Escrowed Funds
Item	Tract	Disbursement Table	In Tract	In Tract	Agreement	Disbursed	Disbursed
		Total acreage in escrow before disbursement				1.52700	
	02	Tract 02 (total acreage)		1.53			
1	02	Harrison-Wyatt LLC/P. O. Box 11000, Danville, VA 24543	4/5	1.2240	50.00%	0.6120	40.0786%
2	02	CNX Gas Company, LLC 2481 John Nash Blvd., Bluefield, WV 24701	4/5	1.2240	50.00%	0.6120	40.0786%

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.

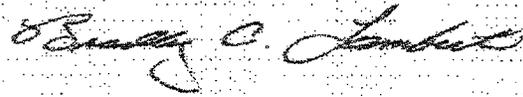
CONCLUSION:

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 2 day of January, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 2 day of January, 2013 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 RUSSEL)

Acknowledged on this 2nd day of January, 2013, 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.



Diane J. 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 95-0919-0518-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 02**

HEARING DATE: December 18, 2012

DRILLING UNIT: V-15

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd, Bluefield, WV 24701, (304)323-6500. Petitioner's counsel is Mark A. Swartz, Swartz Law Offices, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808..

2. Relief Sought

A petition for disbursement from escrow regarding tract 2 (royalties being paid under VPISGU3 and VGOB 06-0321-1598) in Buchanan County, Virginia.

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)

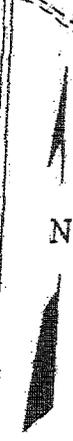
Coalbed Methane

5. Factual basis for relief requested

Harrison-Wyatt LLC and CNX Gas Company have entered into a 50/50 CBM deed. Said deed allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, 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.



P/LS
 ○——○ MINERAL
 ——— SURFACE

PROPERTY LINES SHOWN
 WERE TAKEN FROM MAPS
 PROVIDED BY CONSOL INC
 AND WERE NOT SURVEYED

T1N 328292
 R970323

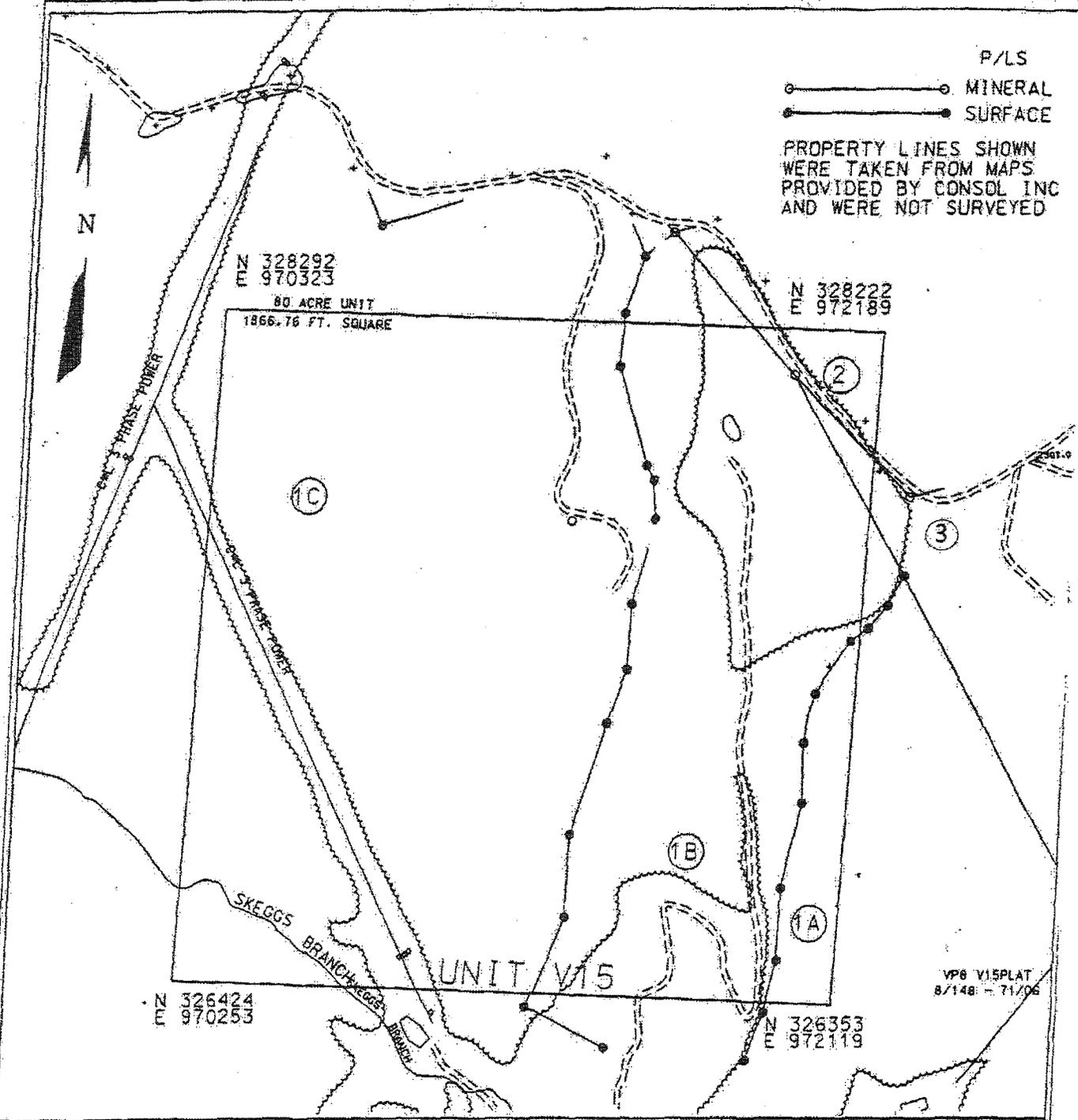
80 ACRE UNIT
 1866.76 FT. SQUARE

N 328222
 E 972189

N 326424
 E 970253

N 326353
 E 972119

VP6 V15PLAT
 8/148 - 71/06

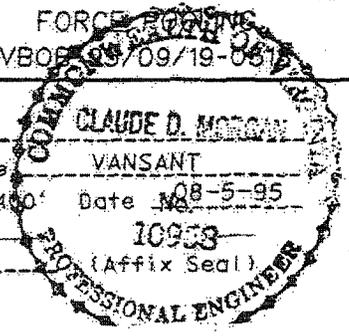


UNIT LOCATION PLAT

EXHIBIT A
 OAKWOOD FIELD UNIT V-15
 FORCE MAINS
 VBOE 95/09/19-0612

Company CONSOL INC Well Name and Number _____
 Tract No. _____ Elevation _____ Quadrangle _____
 County BUCHANAN District HURRICANE Scale: 1" = 400' Date 08-5-95

Claude D. Morgan
 Licensed Professional Engineer or Licensed Land Surveyor
 Page Number 5.



CONSOL Inc.
Plat Legend
Property & Lease Information
Unit: V-15

1. Big Axe Tr. 7 - Coal, Oil & Gas
Wayles R. Harrison & Landon R. Wyatt, Jr. Trustee
NONE OF RECORD - Oil & Gas Lessee
Island Creek Coal Company - Coal Lessee
Beatrice Pocahontas Company
Jewell Smokeless Coal Corporation
Buchanan Production Company - CBM Lessee
78.055 acres - 97.569%
- 1A. Elmer Brown - Surface
- 1B. Tommie Rose - Surface
- 1C. Buchanan Production Company (W.H. Brown Tract)

2. Jessie Childress Heirs - Surface, Oil & Gas
Big Axe Tr. 4 - Coal
Wayles R. Harrison & Landon R. Wyatt, Jr., Trustees
NONE OF RECORD - Oil & Gas Lessee
Island Creek Coal Company - Coal Lessee
Beatrice Pocahontas Company
Jewell Smokeless Coal Corporation
Buchanan Production Company - CBM Lessee
1.527 acres - 1.909%

3. Sammie Harris - Surface
Pobst & McGuire Tr. 2 - Coal, Oil & Gas
Buchanan Production Company - Oil & Gas Lessee
Island Creek Coal Company - Coal Lessee
Permac, Inc.
Jewell Smokeless Coal Corporation
Buchanan Production Company - CBM Lessee
0.418 acres - 0.522%

Exhibit E
Unit V-15
Docket #VGOB-95-0919-0518-01
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
Tract #2, 1.527 Acres		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC Oxy Tr 19 / Big Axe Tr 4 (91.00 acre tract) P.O. Box 11000 Danville, VA 24543	1.527 acres	1.9088%
<u>OIL & GAS OWNERSHIP</u>		
Jessie Childress Heirs, et al.	1.527 acres	1.9088%
(1) Jessie Childress Heirs, Devisees, Successors or Assigns		
(e) Eleanor Hawkins Heirs, Devisees, Successors or Assigns (1/11) - <i>Documentation Pending</i>		
(e.1) Joyce Hawkins Jones 840 Fairview School Road Blountville, TN 37617	0.069 acres 1/22 of 1.527 acres	0.0868%
(e.2) Charles Hawkins 343 Glasgow Lane Blountville, TN 37617	0.069 acres 1/22 of 1.527 acres	0.0868%
(h) Phyllis Everett 4472 Dike Road Winter Park, FL 32792	0.139 acres 1/11 of 1.527 acres	0.1735%
(k) Pinkie Edna Kitts Heirs, Devisees, Successors or Assigns (1/11)		
(k.2) Louise Agee 7601 Bull Run Road Manassas, VA 22110	0.028 acres 1/55 of 1.527 acres	0.0347%
	Acreage in Unit	0.31
	Percentage of Unit	0.3818%

Exhibit EE
Unit V-15
Docket #VGOB-95-0919-0518-01
List of Conflicting Owners/Claimants with Royalty Division Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
Tract #2, 1.527 Acres			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, LLC Oxy Tr 19 / Big Axe Tr 4 (91.00 acre tract) P.O. Box 11000 Danville, VA 24543	1.527 acres	1.9088%	40.0000%
<u>OIL & GAS OWNERSHIP</u>			
Jessie Childress Heirs, et al.	1.527 acres	1.9088%	
(2) Buchanan Production Company			
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.222 acres 4/5 of 1.527 acres	1.5270%	40.0000%

INSTRUMENT #130000164
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JANUARY 28, 2013 AT 01:14PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB