

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)

UNIT/WELL NAME: AY96
TRACT(S): 3
LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-1018-1504-01

APPLICANTS: CNX Gas Company LLC on behalf of CNX Gas Company LLC

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
February 18, 2014

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 02/02/2006, Recorded on 02/07/2006, Deed Book/Instrument No. 0000393.
2. Supplemental Order, Recorded on 03/27/2008, Deed Book/Instrument No. 80001179.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the February 18, 2014 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) 3 identified in the attached petition.

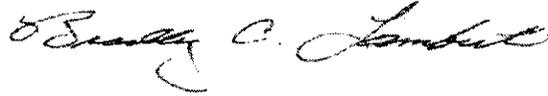
140000490

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 11 day of March, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 11 day of March, 2014 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 11th day of March 2014, 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, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 05-1018-1504-01

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

HEARING DATE: February 18, 2014

DRILLING UNIT: AY96

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

Refund of escrow payments deposited with the Board's Escrow Agent(s), and vacate the Board's Order of February 7, 2006 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.

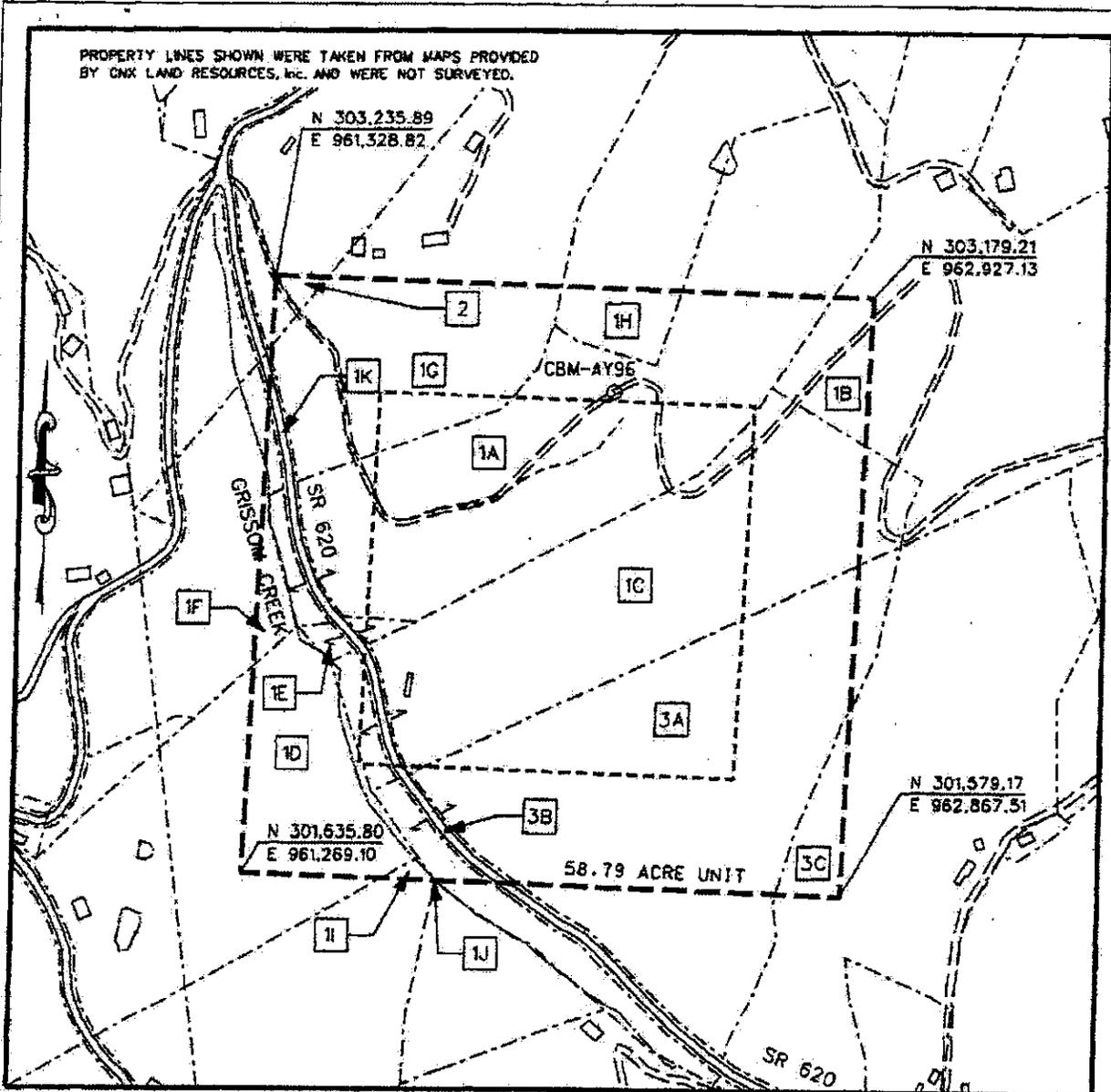


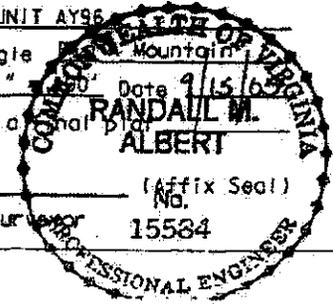
EXHIBIT A
 NORA FIELD
 UNIT AY-96
 FORCE POOLING
 VGOB-05-1018-1504

Company CNX Gas Company LLC Well Name and Number UNIT AY96
 Tract No. _____ Elevation _____ Quadrangle Mountain
 County Buchanan District Hurricane Scale: 1" Date 9/15/05
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Randall M. Albert

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

UNIT AY-96

Tract Identifications

(58.79 Acre Unit)

1. **Harrison-Wyatt, LLC Big Axe Tr. 1 (428 Acre Tract) – All Minerals**
CNX Gas Company LLC - Oil, Gas and CBM Leased
42.88 acres 72.9376

- 1A. **Theodore P. McGlothlin, et al - Surface**
- 1B. **Lena P. McGlothlin, et al – Surface**
- 1C. **Ira Hytton Heirs - Surface**
- 1D. **Unknown Surface Owner**
- 1E. **Unknown Surface Owner**
- 1F. **Unknown Surface Owner**
- 1G. **Jerry C. Fletcher, et ux - Surface**
- 1H. **Ronald R. McGlothlin – Surface**
- 1I. **Unknown Surface Owner**
- 1J. **Unknown Surface Owner**
- 1K. **Commonwealth of Virginia – Surface**

2. **ACIN LLC – All Coal**
Alpha Land and Reserves, LLC – Coal Leased
Pine Mountain Oil and Gas, Inc. – Oil and Gas
Equitable Resources Exploration – Oil, Gas and CBM Leased
Jerry C. Fletcher, et ux - Surface
0.30 acres 0.5103%

3. **Harrison-Wyatt, LLC Big Axe Tr. 2 (176.25 Acre Tract) - Coal (50%)**
Buchanan Realty Limited Partnership - Coal (50%)
Harrison-Wyatt, LLC (Big Axe Tr. 2) – All Minerals except Coal
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
15.61 acres 26.5521%

- 3A. **Ira Hytton Heirs – Surface**
- 3B. **Commonwealth of Virginia – Surface**
- 3C. **Unknown Surface Owner**

Exhibit B-2
Unit AY-96
Docket #VGOB 05-1018-1504-01
List of Unleased Owners/Claimants to be dismissed
(58.79 Acre Unit)

	Acres In Unit	Percent of Unit	Reason for Dismissal
I. <u>COAL OWNERSHIP</u>			
<u>Tract #2 - 0.30 acres</u>			
(1) ACIN LLC (1000-Acre Tract) c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	0.30 acres	0.5103%	Leased via JOA

Note: There is no conflict here, Pine Mtn. owns the CBM royalties.

II. OIL & GAS OWNERSHIP

Tract #2 - 0.30 acres

(1) Range Resources-Pine Mountain Inc. * (1000 Acre Tract) P.O. Box 2136 Abingdon, VA 24212	0.30 acres	0.5103%	Leased via JOA
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Royalties paid to Lockbox:

Range Resources-Pine Mountain Inc.
Dept. 8054
P.O. Box 650002
Dallas, TX 75265-0002

*Note: The 2007 Agreement between EQT and RR-PM was terminated 4/19/10.
Subsequently, EQT assigned the same properties to CNX 4/19/10.*

Exhibit B-3
Unit AY-96
Docket #VGOB 05-1018-1504-01
List of Unleased Owners/Claimants
(58.79 Acre Unit)

Acres in Unit	Percent of Unit
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This unit is 100% leased

Exhibit E
Unit AY-96
Docket #VGOB 05-1018-1504-01
List of all Conflicting Owners/Claimants that require suspense
(58.79 Acre Unit)

	Acres in Unit	Percent of Unit
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This unit is now 100% leased and all conflicts will be held internally

Exhibit EE
Unit AY-96
Docket #VGOB 05-1018-1504-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.79 Acre Unit)

Acres in Unit	Percent of Unit
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This unit is now 100% leased and all conflicts and agreements will be maintained internally

INSTRUMENT #140000490
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 31, 2014 AT 02:35PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB