

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** CNX Gas Company LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 11-1220-3009-01

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

**HEARING DATE:** July 21, 2015

**DRILLING UNIT:** G45

**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(s) attributable to Tract(s) 2 as depicted upon the annexed Table ; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiff(s); T.G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos

**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**

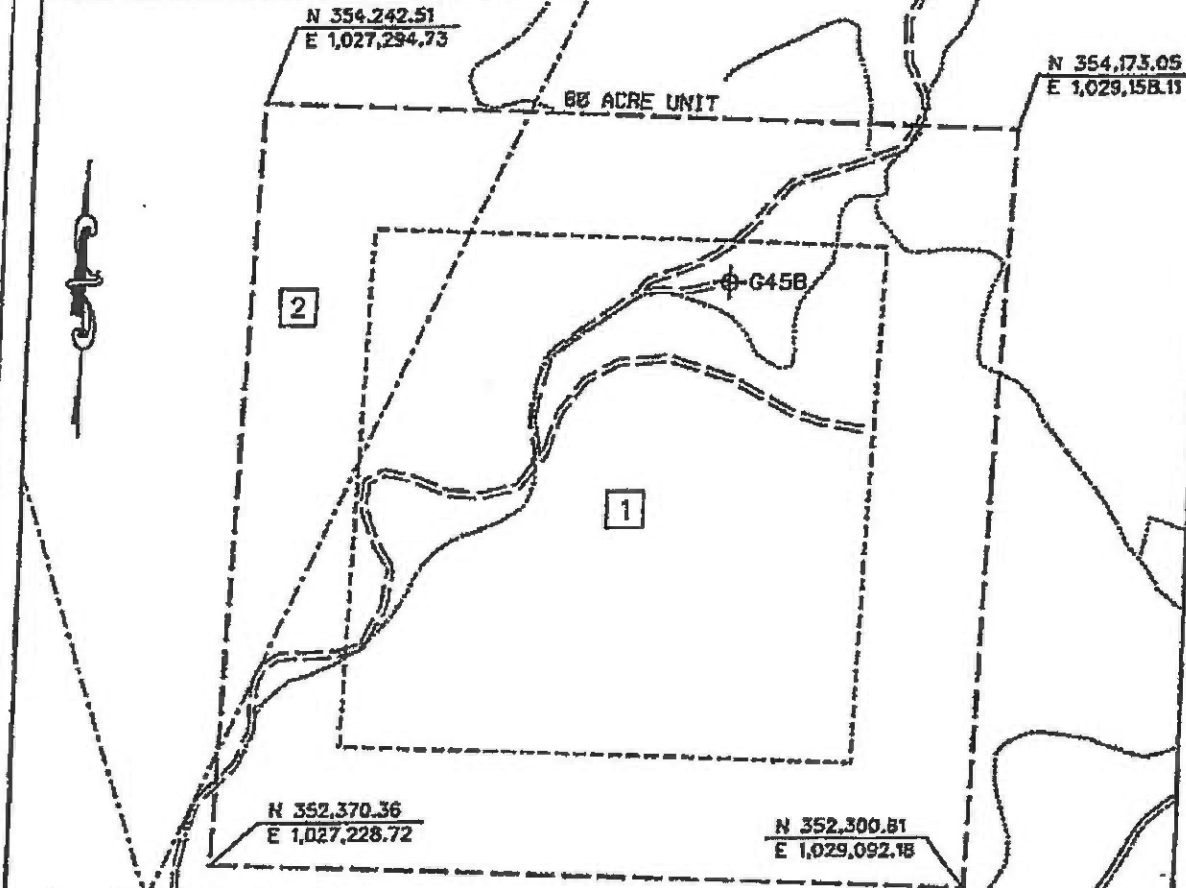
T.G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos is entitled to 100% of the CBM royalties awarded under Case No. 550-13, Opinion dated July 10, 2014, Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

There are no remaining conflicts after the disbursement, escrow is no longer required and account is to be closed after disbursement.

**6. Attestation**

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

Property lines shown on this plat 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 well.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-G45  
 CBM-H45 S 7°33'2" W 2441.14'  
 PNC-TC-20 S 56°27'44" E 1707.53'  
 CBM-F46 N 38°17'38" E 2136.98'  
 ROGERS 202 N 15°19'48" W 2006.78'  
 ROGERS 201 N 49°43'14" W 1893.13'  
 CBM-G44 S 75°52'57" W 2307.54'  
 CBM-G46 S 63°25'58" E 1993.19'

- ⊙ CBM WELL
- ⊕ PROPOSED HORIZONTAL WELL
- ⊕ PROPOSED CBM WELL
- ⊙ CONVENTIONAL WELL

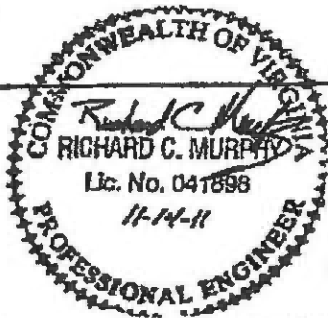


EXHIBIT A  
 OAKWOOD FIELD  
 UNIT G45  
 FORCE POOLING  
 VGOB-11-1220-3009

Company CNX Gas Company LLC Well Name and Number UNIT G45  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle BRADSHAW  
 County BUCHANAN District GARDEN Scale: 1" = 400' Date \_\_\_\_\_  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGD-60-7 Richard C. Murphy (Affix Seal)  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC**  
**UNIT G-45**  
**Tract Identifications**

1. **Pocahontas Mining Limited Liability Company Tr. 64 (1668.15 Acre Tract) - Fee Reserve Coal Properties Company - P-3 Seam and 250' Above Leased  
Jewell Smokeless Coal Corporation - Tiller and Above Coal Seams Leased  
Revelation Energy, LLC - Coal Above the Red Ash Seam Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
67.88 acres                      84.8500%**
  
2. **LBR Holdings, LLC (1027.50 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  
12.12 acres                      15.1500%**

"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."



Exhibit E  
Unit G-45  
Docket #VGOB 11-1220-3009-01  
List of Respondents that require escrow

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Acres in Unit	Percent of Unit
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Escrowing not required

Exhibit EE  
Unit G-45  
Docket #VGOB 11-1220-3009-01  
List of Respondents with Royalty Split Agreements or Court Orders

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #2, 12.12 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 <i>(1,027.50 acre tract)</i>	12.12 acres	15.1500%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) LBR Holdings, LLC, et al. <i>(1,027.50 acre tract)</i>	12.12 acres	15.1500%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.19 acres 1/64 of 12.12 acres	0.2367%	<b>12.5000%</b>
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.19 acres 1/64 of 12.12 acres	0.2367%	<b>12.5000%</b>
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.19 acres 1/64 of 12.12 acres	0.2367%	<b>12.5000%</b>
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 33138	0.19 acres 1/64 of 12.12 acres	0.2367%	<b>12.5000%</b>
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.25 acres 1/48 of 12.12 acres	0.3156%	<b>16.6667%</b>
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.25 acres 1/48 of 12.12 acres	0.3156%	<b>16.6667%</b>
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.25 acres 1/48 of 12.12 acres	0.3156%	<b>16.6667%</b>
<b><i>*Prevailing plaintiff under Case No. 550-13 Awarded 100% of the CBM royalty.</i></b>			

# AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA  
COUNTY OF **BUCHANAN**

**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for G45  
VGOB: 11-1220-3009-01

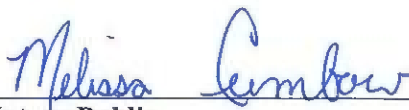
I, Anita D. Duty, after being duly sworn upon oath, state as follows:

1. I am the Pooling Supervisor for CNX Land Resources, Inc. and am responsible for the notification process required by Va. Code Ann. §45.1-361.19 of the Code of Virginia and 4VAC25-160-40.
2. That on June 19, 2015 a true and correct copy of the Notice of Hearing and Exhibits were mailed, via certified mail return receipt requested, based upon information and belief, the names and last-known addresses, where such addresses are known, of the parties owning an interest in this cause are set forth and attached hereto.
3. Notice of this cause has therefore been served by mail pursuant to the applicable statutes and rules of the Board.

  
\_\_\_\_\_  
**Anita D. Duty**  
Pooling Supervisor  
for CNX Land LLC

STATE OF WEST VIRGINIA  
COUNTY OF MERCER, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 10th day of July,  
2015.

  
\_\_\_\_\_  
Notary Public

My commission expires: Apr: 19, 2023



CERTIFICATION OF NOTICE  
CNX Gas Company LLC

Unit A31	VGOB 11-1115-2999-01
Unit B41	VGOB 12-0417-3051-02
Unit B42	VGOB 12-0417-3052-01
Unit B51	VGOB 06-0221-1576-01
Unit B52	VGOB 11-0920-2987-01
Unit C32	VGOB 01-0320-0889-01
Unit C33	VGOB 11-1220-3008-01
Unit C39	VGOB 12-0117-3023-02
Unit C49	VGOB 12-0417-3048-01
Unit C50	VGOB 06-0117-1556-01
Unit D32	VGOB 12-0515-3060-01
Unit D32A	VGOB 14-0715-4050-01
Unit E32	VGOB 12-0515-3061-01
Unit G45	VGOB 11-1220-3009-01

LAST NAME	FIRST NAME	MAILED	RECEIPT #		RECEIVED	
Poulos	Gregory	6/19/15	7014349000008188	9206	06/25/15	1
Poulos	Jason	6/19/15	7014349000008188	9213	06/24/15	2
Poulos	Pamela	6/19/15	7014349000008188	9220	06/23/15	3
Rogers	Kevin	6/19/15	7014349000008188	9237	06/24/15	4
Rogers	Shaun	6/19/15	7014349000008188	9244	06/23/15	5
Rogers	Derek Browning	6/19/15	7014349000008188	9251	06/22/15	6
Rogers, III	TG	6/19/15	7014349000008188	9268	06/23/15	7
Shaver	Jen	6/19/15	7014349000008188	9275	06/23/15	8

Courtesy Copy


Unit D47	VGOB 11-1115-3000-01
Unit G44	VGOB 01-1016-0963-01
Unit H44	VGOB 01-1016-0964-01

LAST NAME	FIRST NAME	MAILED	RECEIPT #		RECEIVED	
LBR Holdings, LLC		6/19/15	7014349000008188	9190	06/29/15	1
Poulos	Gregory	6/19/15	7014349000008188	9206	06/25/15	2
Poulos	Jason	6/19/15	7014349000008188	9213	06/24/15	3
Poulos	Pamela	6/19/15	7014349000008188	9220	06/23/15	4
Rogers	Kevin	6/19/15	7014349000008188	9237	06/24/15	5
Rogers	Shaun	6/19/15	7014349000008188	9244	06/23/15	6
Rogers	Derek Browning	6/19/15	7014349000008188	9251	06/22/15	7
Rogers, III	TG	6/19/15	7014349000008188	9268	06/23/15	8
Shaver	Jen	6/19/15	7014349000008188	9275	06/23/15	9


Courtesy Copy

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
LBR Holdings, LLC PO Box 22427 LEXINGTON KY 40522-2427	J. Wilson	
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from)	7014 3490 0000 8188 9190	
PS Form 3811, July 2013 Domestic Return Receipt		



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Gregory Poulos 1894 GLENWOOD St NE PALM BAY FL 32907-2423		6-25
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. A	7014 3490 0000 8188 9206	
PS Form 3811, July 2013 Domestic Return Receipt		

Disb.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Jason Poulos 10870 SW 95TH St MIAMI FL 33176-2615		
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from)	7014 3490 0000 8188 9213	
PS Form 3811, July 2013 Domestic Return Receipt		

Disb.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Pamela Poulos</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Pamela Poulos            5000 SW 83RD St            MIAMI FL 33143-8510</p>	<p>B. Received by (Printed Name) _____ C. Date of Delivery <i>6/23/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer) <i>7014 3490 0000 8188 9220</i></p>	<p>3. Service Type  <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

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<p>1. Article Addressed to:</p> <p>Kevin Rogers            139 WICKHAM RD            GARDEN CITY NY 11530-1141</p>	<p>B. Received by (Printed Name) <i>ROGERS</i> C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer) <i>7014 3490 0000 8188 9237</i></p>	<p>3. Service Type  <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

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<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Derek Browning Rogers</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Derek Browning Rogers            2300 CARMEL RD            CHARLOTTE NC 28226-6323</p>	<p>B. Received by (Printed Name) _____ C. Date of Delivery <i>6/22/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>2. Article Number (Transfer) <i>7014 3490 0000 8188 9251</i></p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Jennifer L. Shaver P.O. Box 2032 Abingdon VA 24212</p>	<p>B. Received by (Printed Name) Jennifer Shaver</p>	<p>C. Date of Delivery 6/23/15</p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
<p>2. Article # (Transf) 7014 3490 0000 8188 9275</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p style="text-align: right;">A158.</p>	

PS Form 3811, July 2013

Domestic Return Receipt





# USPS Tracking™



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Tracking Number: 70143490000081889244

Updated Delivery Day: Tuesday, June 23, 2015

## Product & Tracking Information

Postal Product:

Features:  
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 23, 2015 , 9:29 pm	Delivery status not updated	

The delivery status for this item has not been updated as of June 23, 2015, 9:29 pm.

June 23, 2015 , 7:29 am	Out for Delivery	MIAMI, FL 33138
June 23, 2015 , 7:19 am	Sorting Complete	MIAMI, FL 33138
June 23, 2015 , 4:34 am	Arrived at Unit	MIAMI, FL 33138
June 22, 2015 , 7:24 pm	Arrived at USPS Facility	OPA LOCKA, FL 33054
June 20, 2015 , 9:15 pm	Departed USPS Facility	CHARLESTON, WV 25350
June 20, 2015 , 5:27 pm	Arrived at USPS Facility	CHARLESTON, WV 25350

## Available Actions

Text Updates

Email Updates

## Track Another Package

Tracking (or receipt) number

Track It

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Track all your packages from a dashboard.  
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