

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 11-0517-2941-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 999 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES

HEARING DATE: September 15, 2015

DRILLING UNIT: AY109

RUSSELL 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) Reimbursement of funds incorrectly deposited with the Board's Escrow Agent attributable to unit AY109 to CNX Gas Company LLC.

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

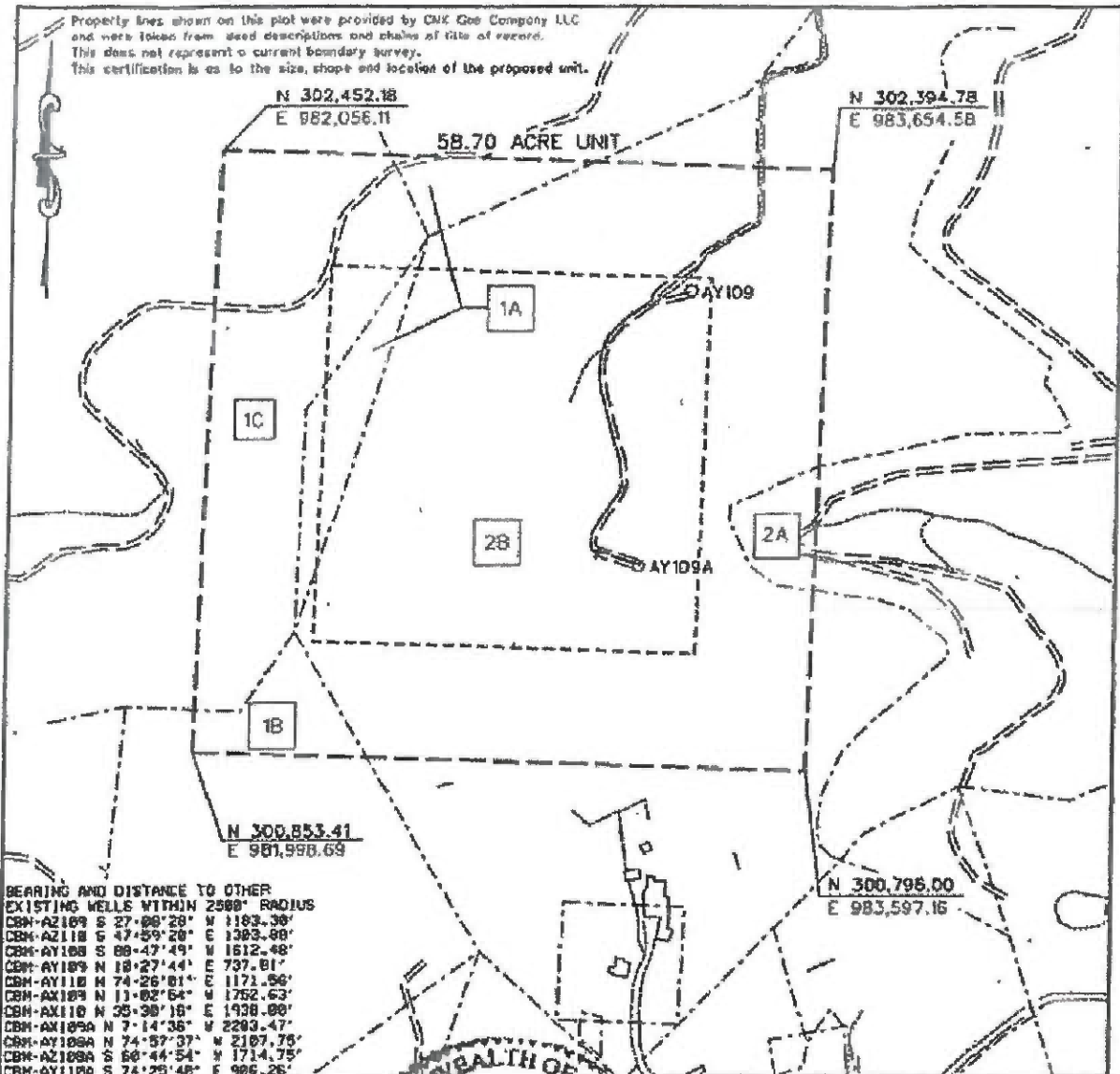
5. Factual basis for relief requested

The escrow account has been overpaid because the Order was vacated 11/4/2014 due to the reversal of Record no. 130306 – CNX Gas Company LLC vs. James Rasnake, et al in the Circuit Court of Russell County on January 10, 2014. Funds remaining in escrow need to be reimbursed to CNX Gas Company LLC.

6. Attestation

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

Property lines shown on this plot 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 unit.



BEARING AND DISTANCE TO OTHER EXISTING WELLS WITHIN 2500' RADIUS

CBM-AZ109	S 27°08'29"	W 1183.36'
CBM-AZ118	S 47°59'20"	E 1383.88'
CBM-AY108	S 88°47'49"	W 1612.48'
CBM-AY109	N 18°27'44"	E 737.81'
CBM-AY110	N 74°26'01"	E 1171.96'
CBM-AX109	N 11°02'54"	W 1752.62'
CBM-AX110	N 35°38'18"	E 1938.88'
CBM-AX109A	N 7°14'38"	W 2283.47'
CBM-AY108A	N 74°57'37"	W 2187.75'
CBM-AZ108A	S 56°44'54"	W 1714.75'
CBM-AY110A	S 74°25'48"	E 986.26'

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

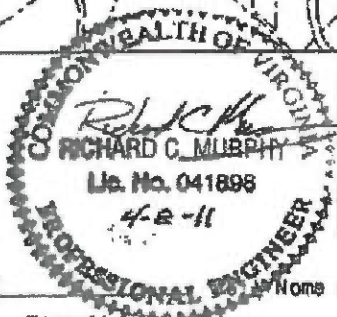


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT AY109
FORCE POOLING
VGOB-11-0517-2941

Company CNX Gas Company LLC Name and Number UNIT AY109
 Tract No. _____ Elevation _____ Quadrangle HONAKER
 County RUSSELL District NEW GARDEN Scale: 1" = 400' Date _____
 This plot is a new plot X ; on updated plot _____ ; or a final plot _____

Form 000-00-7 Richard C. Murphy (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

CNX GAS COMPANY LLC
Unit AY109
Tract Identifications
(58.7 Acre Unit)

- 1A. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) – Coal
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Peggy Rasnake, et al – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
3.37 acres 5.7411%

- 1B. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) – Coal
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Gent Enterprises, LLP – Oil and Gas
CNX Gas Company LLC - Oil, Gas & CBM Leased
James P. Blankenship - Surface
1.72 acres 2.9301%

- 1C. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Fee
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
11.08 acres 18.8756%

- 2A. Buckhorn Coal Company (H. C. Stuart 405 Acre Tract) – Coal
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Michael Whited, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michael Whited – Surface
1.20 acres 2.0443%

- 2B. Buckhorn Coal Company (H. C. Stuart 405 Acre Tract) – Coal
Knox Creek Coal Company – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Peggy Rasnake, et al – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
41.33 acres 70.4089%

"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."

VGOB Disbursement

Unit AY109

VGOB-11-0517-2941-01

Table 1

Tracts: 999

Fractional	Net Acreage	Royalty	Escrowed	Percent of	Disbursement			
Ownership	Ownership	Split	Acres	Escrowed				
in Tract	inTract	Agreement	Disbursed	Disbursed				
			1.00000					
999 Tract 999 (total acreage)			1.00					
1	999	CNX Gas Company LLC\PO Box 643830, Pittsburgh, PA 15264-3830		1.0000	100.00%	1.0000	100.0000%	\$2,509.89

Wells contributing to the escrow account:

Exhibit E
Unit AY-109
Docket VGOB# 11-0517-2941
List of Conflicting Owners/Claimants that require escrow
(58.70 Acre Unit)

Acres in Unit	Interest in Unit
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All Conflicts Resolved - Escrow is not required

Exhibit EE
Unit AY109
Docket #VGOB 11-0517-2941
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit
<u>Tract #1A, 3.37 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company <i>(Jacob Fuller 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	3.37 acres	5.7411%
<u>OIL & GAS OWNERSHIP</u>		
(1) Peggy Rasnake, et al. <i>(122 acre tract)</i>	3.37 acres	5.7411%
(a) Mike O. Rasnake Heirs, Deviseses, Successors or Assigns		
(a.1) Peggy Rasnake 73 Miller Creek Rd. Honaker, VA 24260	<i>Entitled to a Life Estate in all Royalties & Minerals</i>	
<u>Tract #1B, 1.72 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company <i>(Jacob Fuller 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	1.72 acres	2.9301%
<u>OIL & GAS OWNERSHIP</u>		
(1) Gent Enterprises, LLP PO Box 330 Honaker, VA 24260	1.72 acres	2.9301%
<u>Tract #2A, 1.20 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company <i>(H.C. Stuart 405 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	1.20 acres	2.0443%
<u>OIL & GAS OWNERSHIP</u>		
(1) Michael Whited, et al <i>(aka Columbus Earl Whited Heirs)</i> <i>(26.40 acre tract)</i>	1.20 acres	2.0443%
(a) Michael Whited P.O. Box 297 Swords Creek, VA 24649	0.12 acres 1/10 of 1.20 acres	0.2044%
(b) Ferrel Whited P.O. Box 1471 Honaker, VA 24260	0.22 acres 9/50 of 1.20 acres	0.3680%
(c) Marly Whited P.O. Box 881 Lebanon, VA 24266	0.22 acres 9/50 of 1.20 acres	0.3680%
(d) Cathy Darlene Ward 2014 Miller Creek Rd. Swords Creek, VA 24649	0.22 acres 9/50 of 1.20 acres	0.3680%
(e) Herald Whited 120 Clifton Farm Rd. Honaker, VA 24260	0.22 acres 9/50 of 1.20 acres	0.3680%

Exhibit EE
Unit AY109
Docket #VGOB 11-0517-2941
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit
(f) Melissa Skeens 120 Clifton Farm Rd. Honaker, VA 24260	0.22 acres 9/50 of 1.20 acres	0.3680%

Tract #2B, 41.33 acres

COAL OWNERSHIP

{1) Buckhorn Coal Company <i>(H.C. Stuart 405 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	41.33 acres	70.4089%
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OIL & GAS OWNERSHIP

{1) Peggy Rasnake, et al. <i>(122 acre tract)</i>	41.33 acres	70.4089%
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(a) Mike O. Rasnake Heirs, Devisees,
Successors or Assigns

(a.1) Peggy Rasnake
73 Miller Creek Rd.
Honaker, VA 24260

Entitled to a Life Estate in all Royalties & Minerals

TOTAL CONFLICTS RESOLVED:

Acreage in Unit	47.6200	
Percentage of Unit		81.1244%

No Affidavit of Mailing for unit AY109, CNX Refund

Exhibit J
Unit AY109 Escrow Account Reconciliation
VGOB 11-0517-2941

CNX Deposit Information		
Issue Date	Check Number	Check Amount
6/21/2011	100636	\$1,703.31
7/19/2011	1240	\$35.17
8/19/2011	2996	\$31.49
9/19/2011	4711	\$28.13
10/13/2011	7600	\$26.30
12/15/2011	10755	\$43.70
2/20/2012	14063	\$38.66
4/20/2012	17339	\$27.13
8/13/2012	26019	\$23.92
10/22/2012	0214006402	\$39.69
12/19/2012	0214017202	\$30.51
2/20/2013	E000004045	\$35.91
4/22/2013	E000006249	\$26.96
6/20/2013	E000008766	\$36.21
8/20/2013	E000011511	\$42.11
10/15/2013	E000015415	\$19.83
11/19/2013	E000017117	\$36.86
1/21/2014	E000019838	\$38.25
3/20/2014	E000022714	\$52.69
4/22/2014	E000024711	\$33.35
5/19/2014	E000026421	\$28.70
6/30/2014	E000029154	\$21.91
7/18/2014	E000030032	\$22.61
8/21/2014	E000031796	\$21.42
9/18/2014	E000033674	\$20.96
10/20/2014	E000037508	\$16.80
11/19/2014	E000039052	\$15.38

Escrow Bank Data													
Date	Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Total Int. and Fees	Ending Mkt Value	Running Balance	Difference
										\$0.00		\$1,703.31	\$1,703.31
7/31/2011	\$1,738.48		\$0.21	\$0.00	\$0.00	\$0.00	\$0.00			\$0.21	\$1,738.69	\$1,738.69	\$0.00
8/30/2011	\$31.49		\$0.48	\$0.00	\$0.00	\$0.00	(\$1.13)			(\$0.65)	\$1,769.53	\$1,769.53	\$0.00
9/30/2011	\$28.13		\$0.59	\$0.00	(\$0.15)	\$0.00	(\$0.37)			\$0.07	\$1,797.73	\$1,797.73	\$0.00
10/31/2011	\$26.30		\$0.61	\$0.00	(\$0.15)	\$0.00	(\$0.55)			(\$0.09)	\$1,823.94	\$1,823.94	\$0.00
11/30/2011	\$0.00		\$0.60	\$0.00	(\$0.15)	\$0.00	(\$0.46)			(\$0.01)	\$1,823.93	\$1,823.93	\$0.00
12/31/2011	\$43.70		\$0.62	\$0.00	(\$0.15)	\$0.00	(\$0.33)			\$0.14	\$1,867.77	\$1,867.77	\$0.00
1/31/2012	\$0.00		\$0.69	\$0.00	(\$0.16)	\$0.00	(\$0.64)			(\$0.11)	\$1,867.66	\$1,867.66	\$0.00
2/28/2012	\$38.66		\$0.61	\$0.00	(\$0.16)		(\$0.33)			\$0.12	\$1,906.44	\$1,906.44	\$0.00
3/31/2012			\$0.66	\$0.00	(\$0.16)		(\$0.27)			\$0.23	\$1,906.67	\$1,906.67	\$0.00
4/30/2012	\$35.73		\$0.47	\$0.00	(\$0.16)		(\$0.33)			(\$0.02)	\$1,942.38	\$1,933.78	-\$8.60
5/31/2012			\$0.32	\$0.00	(\$0.16)		(\$0.14)			\$0.02	\$1,942.40	\$1,933.80	-\$8.60
6/30/2012			\$0.29	\$0.00	(\$0.16)		(\$0.87)			(\$0.87)	\$1,941.53	\$1,932.93	-\$8.60
7/31/2012			\$0.36	\$0.00	(\$0.16)		(\$0.14)			\$0.06	\$1,941.59	\$1,932.99	-\$8.60
8/31/2012	\$23.92		\$0.33	\$0.00	(\$0.16)		(\$0.72)			(\$0.55)	\$1,964.96	\$1,956.36	-\$8.60
9/30/2012			\$0.32	\$0.00	(\$0.16)		(\$0.19)			(\$0.03)	\$1,964.93	\$1,996.02	\$31.09
10/31/2012	\$39.69		\$0.33	\$0.00	(\$0.16)		(\$0.24)			(\$0.07)	\$2,004.55	\$1,995.95	-\$8.60
11/30/2012			\$0.35	\$0.00	(\$0.17)		(\$0.20)			(\$0.02)	\$2,004.53	\$2,026.44	\$21.91
12/31/2012	\$30.51		\$0.34	\$0.00	(\$0.17)		(\$0.24)			(\$0.07)	\$2,034.97	\$2,026.37	-\$8.60
1/31/2013			\$0.34	\$0.00	(\$0.17)		(\$0.18)			(\$0.01)	\$2,034.96	\$2,062.27	\$27.31
2/28/2013	\$35.91		\$0.31	\$0.00	(\$0.17)		(\$0.32)			(\$0.18)	\$2,070.69	\$2,062.09	-\$8.60
3/31/2013			\$0.34	\$0.00	(\$0.17)		(\$0.21)			(\$0.04)	\$2,070.65	\$2,089.01	\$18.36
4/30/2013	\$26.96		\$0.33	\$0.00	(\$0.17)		\$0.16			\$0.16	\$2,097.77	\$2,089.17	-\$8.60
5/31/2013			\$0.35	\$0.00	(\$0.18)		\$0.17			\$0.17	\$2,097.94	\$2,125.55	\$27.61
6/30/2013	\$36.21		\$0.34	\$0.00	(\$0.17)		(\$0.21)			(\$0.04)	\$2,134.11	\$2,125.51	-\$8.60
7/31/2013			\$0.35	\$0.00	(\$0.18)					\$0.17	\$2,134.28	\$2,167.79	\$33.51
8/31/2013	\$42.11		\$0.38	\$0.00	(\$0.18)					\$0.20	\$2,176.59	\$2,167.99	-\$8.60
9/30/2013			\$0.35	\$0.00	(\$0.18)					\$0.17	\$2,176.76	\$2,187.99	\$11.23
10/31/2013	\$19.83		\$0.35	\$0.00	(\$0.18)					\$0.17	\$2,196.76	\$2,225.02	\$28.26
11/30/2013	\$36.86		\$0.35	\$0.00	(\$0.18)					\$0.17	\$2,233.79	\$2,225.19	-\$8.60
12/31/2013			\$0.37	\$0.00	(\$0.19)					\$0.18	\$2,233.97	\$2,263.62	\$29.65
1/31/2014	\$38.25		\$0.38	\$0.00	(\$0.19)					\$0.19	\$2,272.41	\$2,263.81	-\$8.60
2/28/2014			\$0.33	\$0.00	(\$0.19)					\$0.14	\$2,272.55	\$2,316.64	\$44.09
3/31/2014	\$52.69		\$0.36	\$0.00	(\$0.19)					\$0.17	\$2,325.41	\$2,350.16	\$24.75
4/30/2014	\$33.35		\$0.37	\$0.00	(\$0.19)					\$0.18	\$2,358.94	\$2,379.04	\$20.10
5/31/2014	\$28.70		\$0.39	\$0.00	(\$0.20)					\$0.19	\$2,387.83	\$2,379.23	-\$8.60
6/30/2014			\$0.38	\$0.00	(\$0.20)					\$0.18	\$2,388.01	\$2,401.32	\$13.31
7/31/2014	\$44.52		\$0.40	\$0.00	(\$0.20)					\$0.20	\$2,432.73	\$2,424.13	-\$8.60
8/31/2014	\$21.42		\$0.40		(\$0.20)					\$0.20	\$2,454.35	\$2,445.75	-\$8.60
9/30/2014	\$20.96		\$0.39		(\$0.20)					\$0.19	\$2,475.50	\$2,466.90	-\$8.60
10/31/2014	\$16.80		\$0.41		(\$0.21)					\$0.20	\$2,492.50	\$2,483.90	-\$8.60
11/30/2014	\$15.38		\$0.43		(\$0.21)					\$0.22	\$2,508.10	\$2,499.50	-\$8.60
12/31/2014			\$0.80		(\$0.21)					\$0.59	\$2,508.69	\$2,500.09	-\$8.60
1/31/2015			\$0.62		(\$0.21)					\$0.41	\$2,509.10	\$2,500.50	-\$8.60
2/28/2015			\$0.39		(\$0.21)					\$0.18	\$2,509.28	\$2,500.68	-\$8.60
3/31/2015			\$0.42		(\$0.21)					\$0.21	\$2,509.49	\$2,500.89	-\$8.60
4/30/2015			\$0.40		(\$0.21)					\$0.19	\$2,509.68	\$2,501.08	-\$8.60
5/31/2015			\$0.42		(\$0.21)					\$0.21	\$2,509.89	\$2,501.29	-\$8.60
										Total	\$3.33		

Total	\$2,497.96
Interest & Fees	\$3.33
Grand Total	\$2,501.29
First Bank and Trust balance	\$2,509.89
5/31/2015	