

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** CNX Gas Company LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 97-0121-0562-02

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 10A, 6, 7 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES**

**HEARING DATE:** January 19, 2016

**DRILLING UNIT:** W9

**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, attributable to of Tracts 6, 7, & 10A, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to CNX Gas Company LLC, Harrison-Wyatt LLC, VDOT, & Buchanan County, VA.

**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**

- a. Harrison Wyatt LLC and CNX Gas Company LLC have entered into royalty agreement(s) in Tract 6. Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be divided and paid.
- b. CNX Gas Company LLC, VDOT & Buchanan County VA are the gas claimants in Tract 7 & 10A As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant and not escrow same. See Exhibit EE annexed hereto.

## **6. Attestation**

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

**BUCHANAN PRODUCTION COMPANY**

Tract Identification

Unit W-9

1. Harrison-Wyatt LLC (Big Axe) - Tr. 29 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Norman E. Morgan, et al - Surface, Oil & Gas  
Buchanan Production Co. - CBM Lessee  
Buchanan Production Co. - Oil & Gas Lessee  
6.00 acres - 7.5000%
  
2. 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  
1.29 acres - 1.6125%
  
3. Harrison-Wyatt LLC (Big Axe) - Tr. 29 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Company (*prev. George Jackson*) - Surface, Oil & Gas  
Buchanan Production Co. - CBM Lessee  
1.22 acres - 1.5250%
  
4. Harrison-Wyatt LLC (Big Axe) - Tr. 12 - 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  
4.32 acres - 5.4000%
  
- 4A. Buchanan County - Surface
- 4B. Virginia Department of Highways - Surface
  
- 5A. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Theresa H. Brents - Surface, Oil & Gas  
21.36 acres - 26.7000%

**\*\* UPDATED FOR DISBURSEMENT PURPOSES ONLY \*\***

- 5B. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Janet Brown, et vir.* - Surface, Oil & Gas  
0.66 acres – 0.8250%
  
- 6. Harrison-Wyatt LLC (Big Axe) - Tr. 30 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Island Creek Coal Company* - Surface, Oil & Gas  
0.33 acres - 0.4125%
  
- 7. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Virginia Department of Transportation - Surface, Oil & Gas  
2.16 acres - 2.7000%

**Combination of Tracts 8 & 9 – Total of 4.53 acres (Previously identified as Gladys Price & Cynthia Deel)**

- 8A. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Janet Brown, et vir.* - Surface, Oil & Gas  
2.08 acres – 2.6000%
  
- 8B. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Janet Brown, et vir.* - Surface, Oil & Gas  
0.55 acres - 0.6875%
  
- 8C. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*William E. Rife, et ux* - Surface, Oil & Gas  
0.79 acres – 0.9875%

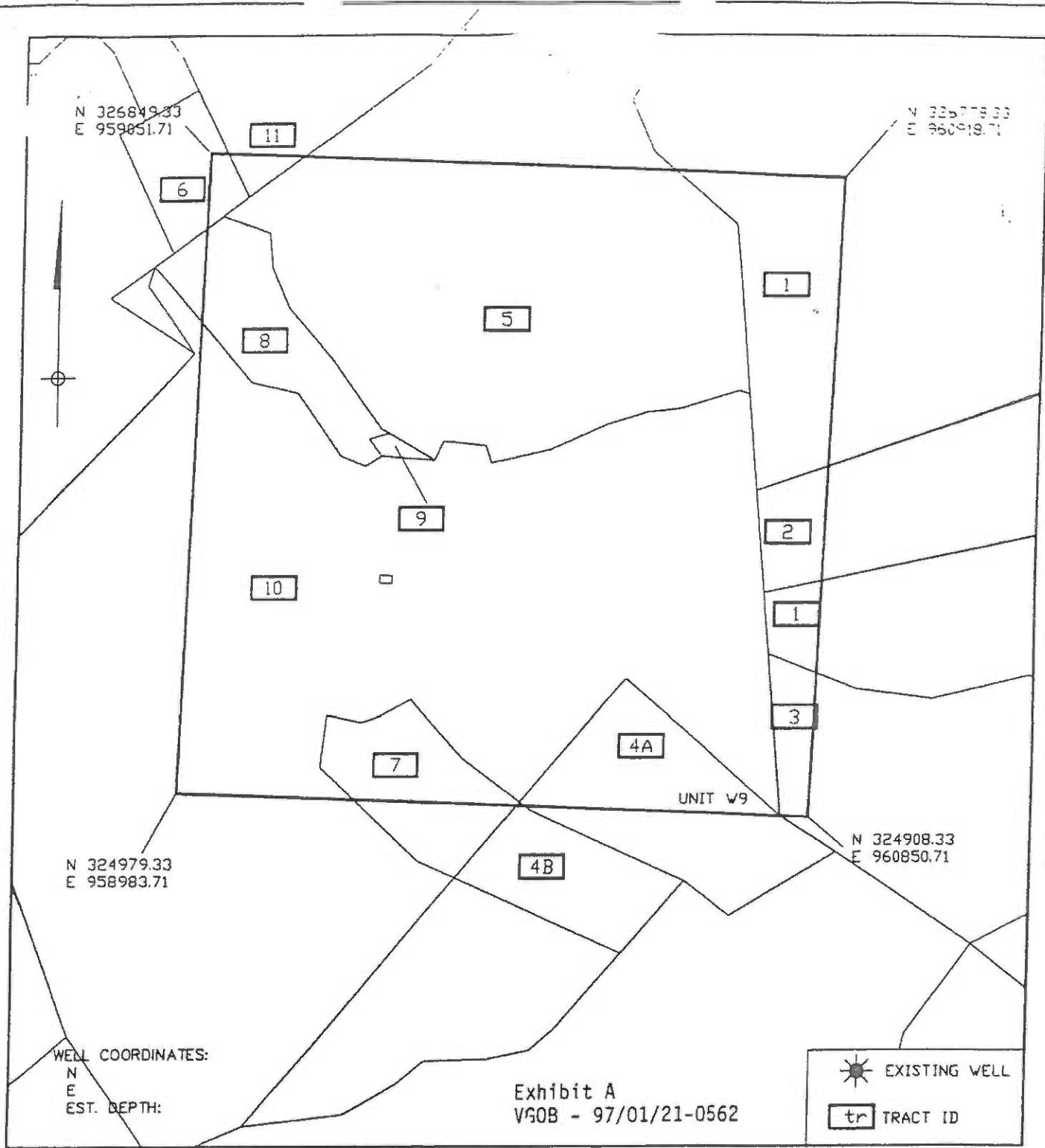
**\*\* UPDATED FOR DISBURSEMENT PURPOSES ONLY \*\***

9

- 8D. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Cynthia P. Rife, et vir - Surface, Oil & Gas  
0.26 acres - 0.3250%
- 8E. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Cynthia P. Rife, et vir - Surface, Oil & Gas  
0.85 acres - 1.0625%
- 10A. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Buchanan County* - Surface, Oil & Gas  
32.94 acres - 41.1750%
- 10B. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
*Buchanan County Housing Limited Partnership* - Surface, Oil & Gas  
4.89 acres - 6.1125%
11. Harrison-Wyatt LLC (Big Axe) - Tr. 13 - Coal  
Coal Lessees  
Jewell Smokeless Coal Co. - Tiller and above  
Island Creek Coal - Coal below Tiller  
Buchanan Production Co. - CBM Lessee  
Island Creek Coal Co. - Surface, Oil & Gas  
0.30 acres - 0.3750%

**\*\* UPDATED FOR DISBURSEMENT PURPOSES ONLY \*\***

10

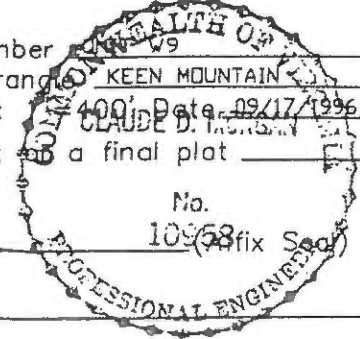


TRACT IDENTIFICATION MAP

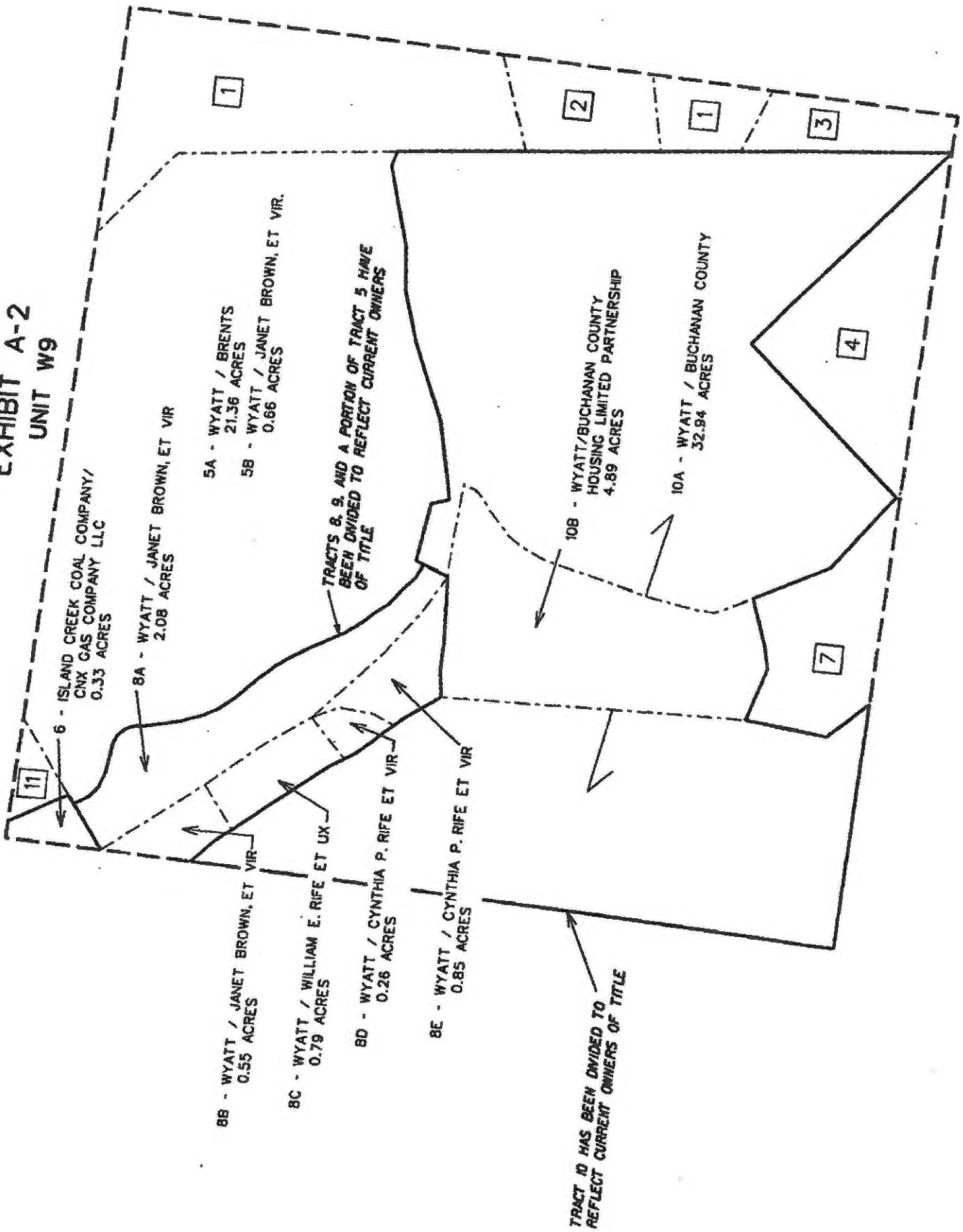
Company BUCHANAN PRODUCTION CO. Well Name and Number W9  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle KEEN MOUNTAIN  
 County BUCHANAN District \_\_\_\_\_ Scale: 400' Date: 09/17/1996  
 This plat is a new plat xxx; an updated plat \_\_\_\_\_; and a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

*Claude D. Maye*  
Licensed Professional Engineer



**EXHIBIT A-2  
UNIT W9**



VGOB Disbursement

Unit W9

VGOB-97-0121-0562-02

Table 1

Tracts: 10A, 6, 7

Fractional	Net Acreage	Royalty	Escrowed	Percent of	Disbursement		
Ownership	Ownership	Split	Acres	Escrowed			
in Tract	inTract	Agreement	Disbursed	Disbursed			
			58.53500				
6	Tract 6 (total acreage)		0.33				
1	6	Harrison-Wyatt LLC\PO Box 11000 Danville, VA 24543	0.3300	50.00%	0.1650	0.2819%	\$334.78
2	6	CNX Gas Co LLC\PO Box 643830 Pittsburgh, PA 15264-3830	0.3300	50.00%	0.1650	0.2819%	\$334.78
7	Tract 7 (total acreage)		2.16				
1	7	Commonwealth of Virginia\870 Bonham Rd, Bristol, VA 24201	2.1600	100.00%	2.1600	3.6901%	\$4,382.64
10A	Tract 10A (total acreage)		32.94				
1	10A	Buchanan County, VA\PO Box 950 Grundy, VA 24614	32.9400	100.00%	32.9400	56.2740%	\$66,835.20

**Wells contributing to the escrow account:**

Exhibit E  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents that require escrow

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%
<b><u>Tract #1 - 6.00 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 29 (450.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	6.00 acres	7.5000%	0.6361%	1.8338%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>				
Morgan Living Trust, et al. (N. Morgan, et al.) <i>F. E. Morgan, Sr. (1/4<sup>th</sup>); Naaman J. Morgan (1/4<sup>th</sup>); Norman E. Morgan (1/4<sup>th</sup>) &amp; F. E. Morgan, Jr. (1/4<sup>th</sup>) Heirs, Devisees, Successors or Assigns (Interest obtained from DB 116-557)</i> <i>50.00 acres O&amp;G (p/o ICCO Tr. 215, a 450.00 acre tract)</i>	6.00 acres	7.5000%	0.6361%	1.8338%
(1) Frank E. Morgan, Sr. Heirs, Devisees, Successors or Assigns (1/4)				
(a) Inez Morgan Feather Heirs, Devisees, Successors or Assigns (1/40)				
(a.1) Hugh M. Feather Heirs, Devisees, Successors or Assigns (1/80)				
(a.1.1) Cordelia J. Feather 1817 Fortney Drive Huntsville, AL 35816	0.075 acres 1/80 of 6.00 acres	0.0938%	0.0080%	0.0229%
(a.2) Mary Feather Khan 2241 Colston Street Petersburg, VA 23805-2203	0.075 acres 1/80 of 6.00 acres	0.0938%	0.0080%	0.0229%
(b) Masil M. Arms Heirs, Devisees, Successors or Assigns (1/40)				
(b.1) Claude S. Arms, Sr. Heirs, Devisees, Successors or Assigns				
(b.1.1) Claude S. Arms, Jr. Heirs, Devisees, Successors or Assigns				
(b.1.1.1) Claude S. Arms, Jr. Estate c/o Herbert N. Fields Adminis P.O. Box 222 Grundy, VA 24614	0.150 acres 1/40 of 6.00 acres	0.1875%	0.0159%	0.0458%
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Claude S. Arms, Jr. conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>				
(d) Hazel M. Wyatt Heirs, Devisees, Successors or Assigns (1/40)				
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Hazel M. Wyatt conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>				
(d.2) Martha W. Fields <i>Deceased - Heirs Unknown Documentation Pending</i>	0.075 acres 1/80 of 6.00 acres	0.0938%	0.0080%	0.0229%
(f) Faye M. Harrison Heirs, Devisees, Successors or Assigns (1/40) <i>Deceased - Documentation Pending</i>	0.150 acres 1/40 of 6.00 acres	0.1875%	0.0159%	0.0458%
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Faye M. Harrison conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>				

Exhibit E  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents that require escrow

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%
--	----------------------	---------------------	----------------------------------	-----------------------------------

**Probable heirs - Documentation pending:**

- (f.1) Harold Douglas Harrison  
615 Cricklewood Drive  
Lexington, KY 40505
- (f.2) John Phillip Harrison  
175 Walker Road  
Landenberg, PA 19350-1266
- (f.3) Michael Lee Harrison  
104 Katie Lane  
Statesville, NC 28625
- (f.4) Norman Ray Harrison  
4139 Snowbird Circle  
Roanoke, VA 24018
- (f.5) Katherine H. Wells  
4904 Brittany Court  
Rocklin, CA 95677

**Tract #3 - 1.22 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, LLC <i>Big Axe Tr 29 (450.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	1.22 acres	1.5250%	0.1293%	0.3729%
---	------------	---------	---------	---------

**OIL & GAS OWNERSHIP**

(1) George Jackson  
  
*Conveyed by deed on May 23, 2001 and recorded at Deed Book \_\_\_\_, Page \_\_\_\_*

Buchanan Production Company

(a) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(Previously George Jackson, BPC Purchased May 23, 2001)</i>	1.22 acres	1.5250%	0.1293%	0.3729%
---	------------	---------	---------	---------

**Tract #5A - 21.36 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	21.36 acres	26.7000%	2.2646%	6.5284%
---	-------------	----------	---------	---------

**OIL & GAS OWNERSHIP**

***Tract is incorrectly referenced in Case No 396-15, will continue to escrow until the order is corrected***

(1) Theresa H. Brents 713 Churchman's Mill Road Stuarts Draft, VA 24477	21.36 acres	26.7000%	2.2646%	6.5284%
---	-------------	----------	---------	---------

**TOTAL ACRES IN ESCROW:**

Acreage in Unit	21.8850
Percentage of Unit	27.3563%

Exhibit EE  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%	Percent of Escrow
<b><u>Tract #1 - 6.00 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC Big Axe Tr 29 (450.00 acre tract) P.O. Box 11000 Danville, VA 24543	6.00 acres	7.5000%	0.6361%	1.8338%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
Morgan Living Trust, et al. (N. Morgan, et al.) F. E. Morgan, Sr. (1/4 <sup>th</sup> ); Naaman J. Morgan (1/4 <sup>th</sup> ); Norman E. Morgan (1/4 <sup>th</sup> ) & F. E. Morgan, Jr. (1/4 <sup>th</sup> ) Heirs, Devisees, Successors or Assigns (Interest obtained from DB 116-557) 50.00 acres O&G (p/o ICCC Tr. 215, a 450.00 acre tract)	6.00 acres	7.5000%	0.6361%	1.8338%	
(1) Frank E. Morgan, Sr. Heirs, Devisees, Successors or Assigns (1/4)					
(c) Zeima Cooper Heirs, Devisees, Successors or Assigns (1/40)					
(c.1) James C. Cooper, Sr.					<i>Deceased - Life Estate Extinguished</i>
(c.2) James C. Cooper, Jr. Heirs, Devisees, Successors or Assigns					
(c.2.1) Hettie F. Cooper 885 Meirose Blvd. Pickerington, OH 43147	0.150 acres 1/40 of 6.00 acres	0.1875%	0.0159%	0.0458%	n/a
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 2/06/00, Hettie S. Cooper conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-542)</i>					
(d) Hazel M. Wyatt Heirs, Devisees, Successors or Assigns (1/40)					
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Hazel M. Wyatt conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>					
(d.1) Robert Fred Wyatt, Jr. P.O. Box 650 Vansant, VA 24656	0.075 acres 1/80 of 6.00 acres	0.0938%	0.0080%	0.0229%	n/a
(e) Glee M. McClanahan Heirs, Devisees, Devisees, Successors or Assigns					
(e.1) Nancy McClanahan Shortridge P.O. Box 188 274 McNeil Circle Mooresburg, TN 37811	0.150 acres 1/40 of 6.00 acres	0.1875%	0.0159%	0.0458%	n/a
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Nancy McClanahan Shortridge conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>					
(g) Lettie M. Cox P.O. Box 638 Grundy, VA 24614	0.150 acres 1/40 of 6.00 acres	0.1875%	0.0159%	0.0458%	n/a
<i>** NOTE: In order to resolve the CBM conflict, by Deed dated 1/15/00, Lettie Cox conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 510-557)</i>					
(h) Naaman J. Morgan					<i>Inherited a 1/40<sup>th</sup> interest, see (2) below</i>
(i) F. E. Morgan, Jr.					<i>Inherited a 1/40<sup>th</sup> interest, see (3) below</i>
(j) Norman E. Morgan					<i>Inherited a 1/40<sup>th</sup> interest, see (4) below</i>
(2) Naaman J. Morgan Heirs, Devisees, Successors or Assigns (1/4 + 1/40 = 11/40)					<i>Includes interest from (1.h)</i>

Exhibit EE  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%	Percent of Escrow
(a) Naaman J. Morgan Trust Frank E. Morgan, Jr. & Norman E. Morgan, Trustees					
(a.1) Naaman J. Morgan Trust Claude S. Arms, Jr., Trustee					
(a.1.1) Naaman J. Morgan Trust Carl Puckett, Trustee 513 State Street, Box 129 Bristol, VA 24203	0.550 acres 11/120 of 6.00 acres	0.6875%	0.0583%	0.1681%	n/a
** NOTE: In order to resolve the CBM conflict, by Deed dated 12/15/99, Carl Puckett, Trustee conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 500-682)					
(b) F. E. Morgan, Jr. <i>Devised a 11/120<sup>th</sup> interest, see (3) below</i>					
(c) Norman E. Morgan <i>Devised a 11/120<sup>th</sup> interest, see (4) below</i>					
(3) Frank E. Morgan, Jr. Heirs, Devisees, Successors or Assigns (1/4 + 1/40 + 11/120 = 11/30) <i>Includes interest from (1.i) &amp; (2.b)</i>					
(a) Ethel V. Morgan <i>Devised a 11/60<sup>th</sup> interest, see (5) below</i>					
(b) Norman E. Morgan <i>Devised a 11/60<sup>th</sup> interest, see (4) below</i>					
(4) Norman E. Morgan Heirs, Devisees, Successors or Assigns (1/4 + 1/40 + 11/120 + 11/60 = 11/20) <i>Includes interest from (1.i) &amp; (2.c) &amp; (3.b)</i>					
** NOTE: In order to resolve the CBM conflict, by Deed dated 12/15/99, Norman E. Morgan conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 500-682)					
(a) Ethel V. Morgan <i>Devised a 11/20<sup>th</sup> interest, see (5) below</i>					
(5) Ethel V. Morgan (11/60 + 11/20 = 11/15) <i>Includes interest from (3.a) &amp; (4.a) Conveyed her interest by deed dated 2/18/09 (Instrument 09-1664)</i>					
** NOTE: In order to resolve the CBM conflict, by Deed dated 12/15/99, Ethel V. Morgan conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt, LLC. (DB 500-682)					
(a) Morgan Living Trust c/o Ethel V. Morgan 1093 Poe Town Street Grundy, VA 24614	4.400 acres 11/15 of 6.00 acres	5.5000%	0.4665%	1.3448%	n/a
<b><u>Tract #5B - 0.66 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.66 acres	0.8250%	0.0700%	0.2017%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) Janet Brown, et vir 1132 Valance Dr. Vansant, VA 24656	0.66 acres	0.8250%	0.0700%	0.2017%	n/a
<b><u>Tract #6 - 0.33 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 30 (900.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.33 acres	0.4125%	0.0350%	0.1009%	0.2819% - 50%

Exhibit EE  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%	Percent of Escrow	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(Incorrectly identified as Janet Brown, et vir. - should be ICCC, royalties paid to CNX.)</i>	0.33 acres	0.4125%	0.0350%	0.1009%	0.2819%	- 50%
<b><u>Tract #7 - 2.16 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	2.16 acres	2.7000%	0.2290%	0.6602%		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.16 acres	2.7000%	0.2290%	0.6602%	3.6901%	- 100% HB2058
<b><u>Tract #8A - 2.08 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	2.08 acres	2.6000%	0.2205%	0.6357%	n/a	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
(1) Janet Brown, et vir 1132 Valance Dr. Vansant, VA 24656	2.08 acres	2.6000%	0.2205%	0.6357%	n/a	
<b><u>Tract #8B - 0.55 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.55 acres	0.6875%	0.0583%	0.1681%	n/a	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
(1) Janet Brown, et vir 1132 Valance Dr. Vansant, VA 24656	0.55 acres	0.6875%	0.0583%	0.1681%	n/a	
<b><u>Tract #8C - 0.79 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.79 acres	0.9875%	0.0838%	0.2415%	n/a	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
(1) William E. Rife, et ux 3451 Deskins Road Vansant, VA 24656	0.79 acres	0.9875%	0.0838%	0.2415%	n/a	

Exhibit EE  
Unit W-9  
Docket #VGOB 97-0121-0562-02  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%	Percent of Escrow
<b><u>Tract #8D - 0.26 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.26 acres	0.3250%	0.0276%	0.0795%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) Cynthia P. Rife, et vir P.O. Box 880 Vansant, VA 24656	0.26 acres	0.3250%	0.0276%	0.0795%	<i>n/a</i>
<b><u>Tract #8E - 0.85 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.85 acres	1.0625%	0.0901%	0.2598%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) Cynthia P. Rife, et vir P.O. Box 880 Vansant, VA 24656	0.85 acres	1.0625%	0.0901%	0.2598%	<i>n/a</i>
<b><u>Tract #10A - 32.94 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	32.94 acres	41.1750%	3.4923%	10.0677%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) Buchanan County P.O. Box 950 Grundy, VA 24614 <i>(Previously Virginia Department of Corrections / Buchanan County)</i>	32.94 acres	41.1750%	3.4923%	10.0677%	<b>56.2740% HB2058</b> - 100%
<b><u>Tract #10B - 4.89 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (200.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	4.89 acres	6.1125%	0.5184%	1.4946%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) Buchanan County Housing Limited Partnership 1173 W. Main Street Abingdon, VA 24210 <i>(Previously Virginia Department of Corrections / Buchanan Co.)</i>	4.89 acres	6.1125%	0.5184%	1.4946%	<i>n/a</i>
<b><u>Tract #11 - 0.30 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Harrison-Wyatt, LLC <i>Big Axe Tr 13 (900.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	0.30 acres	0.3750%	0.0318%	0.0917%	<i>n/a</i>

Exhibit EE  
 Unit W-9  
 Docket #VGOB 97-0121-0562-02  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of 3-West 8.4816%	Division of 4-West 24.4511%	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
(1) CNX Gas Company LLC P.O. Box 570 Pounding Mill, VA 24637 (Previously ICC)	0.30 acres	0.3750%	0.0318%	0.0917%	<i>n/a</i>

# AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA  
COUNTY OF **BUCHANAN**

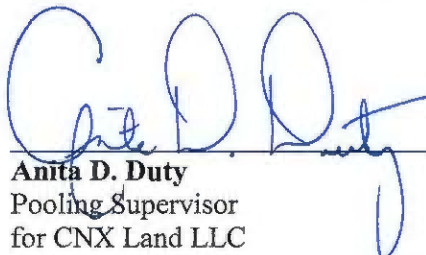
**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for W9  
VGOB: 97-0121-0562-02

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 December 18, 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.

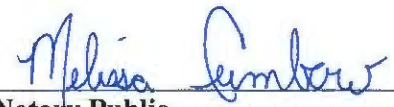
3. Notice of this cause has therefore been served by mail pursuant to the applicable statues and rules of the Board.

  
\_\_\_\_\_  
**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 7<sup>th</sup> day of January,  
2016.

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

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE

CNX Gas Company LLC

Unit W9 part of VP8SGU3 & VP8SGU5

VGOB 97-0121-0562-02

**Disbursement**

Last Name	First Name	MAILED	RECEIPT #		Received
Buchanan Co		12/18/2015	7015152000012434	8405	12/28/2015
Harrison Wyatt LLC		12/18/2015	7015152000012434	7613	12/24/2015
VDOT		12/18/2015	7015152000012434	7620	12/28/2015

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Buchanan County  
 c/o LEE MOISE, BUCH CO.  
 ATTORNEY  
 PO Box 950  
 Grundy VA 24614-0950



9590 9403 0923 5223 4080 76

2. Article Number (Transfer from service label)

7015 1520 0001 2434 8405  
 PS Form 3811, July 2015 PSN 7530-02-000-9053 W9

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
 Received by (Printed Name) Sheila Watson Date of Delivery DEC 2 2015

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Priority Mail Express®
  - Registered Mail™
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery

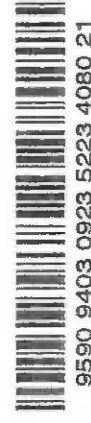
Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harrison-Wyatt, LLC  
 PO Box 11000  
 DANVILLE VA 24543-5017



9590 9403 0923 5223 4080 21

2. Article Number (Transfer from service label)

7015 1520 0001 2434 7613  
 PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
 Received by (Printed Name) Sheila Watson C. Date of Delivery 12-28-15  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Priority Mail Express®
  - Registered Mail™
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Commonwealth of Virginia  
 DEPT. OF TRANSPORTATION  
 870 BONHAM RD  
 Bristol VA 24201-2002



9590 9403 0923 5223 4080 14

2. Article Number (Transfer from service label)

015 1520 0001 2434 7620  
 PS Form 3811, July 2015 PSN 7530-02-000-9053

**Exhibit J**  
**Unit W9 Escrow Account Reconciliation**  
**VGOB 97-0121-0562**

CNX Deposit Information		
Check Date	Check Number	Total
4/24/1999	5602	\$363.31
5/25/1999	5750	\$15,321.66
6/25/1999	5928	\$1,009.96
7/24/1999	6108	\$787.77
8/25/1999	6342	\$691.97
9/25/1999	6567	\$665.42
10/25/1999	6785	\$1,035.78
11/25/1999	7032	\$3,942.23
12/22/1999	7371	\$684.29
1/25/2000	7574	\$898.43
2/25/2000	7805	\$424.78
3/24/2000	8043	\$331.08
4/25/2000	8296	\$126.25
5/25/2000	8558	\$1,942.49
6/23/2000	8796	\$5,273.77
7/25/2000	9045	\$6,083.75
8/25/2000	9340	\$7,068.47
9/25/2000	9641	\$4,902.16
10/25/2000	9951	\$7,032.46
11/24/2000	10191	\$8,161.35
12/22/2000	10564	\$8,397.39
1/25/2001	10856	\$12,874.16
2/23/2001	11192	\$15,380.05
3/23/2001	11561	\$8,425.15
4/25/2001	11871	\$3,837.33
5/25/2001	12240	\$3,146.74
6/25/2001	12566	\$2,141.15
7/25/2001	12971	\$324.99
8/24/2001	13374	\$553.10
9/25/2001	13708	\$787.29
10/25/2001	14033	\$736.02
11/23/2001	14374	\$370.13
12/24/2001	14845	\$29.07
1/25/2002	15357	\$33.50
3/25/2002	15959	\$57.77
5/24/2002	17103	\$35.89
12/24/2002	21988	\$1.72

Escrow Bank Data														Running Balance	Difference
Date	Escrow Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance			
4/30/1999											\$0.00		\$0.00	\$0.00	
5/31/1999	\$363.31	\$0.90			-\$0.21				-\$0.23		\$0.46	\$363.77	\$15,685.43	\$363.31	
6/30/1999	\$15,321.66	\$63.70			-\$22.10				-\$6.52		\$35.08	\$15,720.51	\$16,730.47	\$15,321.66	
7/31/1999	\$1,009.96	\$81.84			-\$23.32				-\$5.84		\$52.68	\$16,783.15	\$17,570.92	\$1,009.96	
8/31/1999	\$787.77	\$47.81			-\$23.95				-\$3.30		\$18.56	\$17,589.48	\$18,281.45	\$787.77	
9/30/1999	\$691.97	\$96.97			-\$25.44				\$3.79		\$75.32	\$18,356.77	\$19,022.19	\$691.97	
10/31/1999	\$665.42	\$74.66			-\$25.29				\$0.75		\$50.12	\$19,072.31	\$20,108.09	\$665.42	
11/30/1999	\$1,076.26	\$58.11			-\$25.92				-\$21.39		\$10.80	\$20,159.42	\$24,061.12	\$1,076.26	
12/31/1999	\$4,626.52	\$235.93			-\$26.91				-\$34.59		\$174.43	\$24,960.37	\$24,919.84	\$4,626.52	
1/31/2000		\$71.74									\$71.74	\$25,930.54	\$25,890.01	\$71.74	
2/29/2000	\$424.78	\$81.42									\$81.42	\$26,436.74	\$26,396.21	\$424.78	
3/31/2000	\$331.08	\$93.35									\$93.35	\$26,861.17	\$26,820.64	\$331.08	
4/30/2000	\$126.25	\$87.60									\$87.60	\$27,075.02	\$27,034.49	\$126.25	
5/31/2000	\$1,942.49	\$126.59									\$126.59	\$29,144.10	\$29,103.57	\$1,942.49	
6/30/2000	\$5,273.77	\$139.51									\$139.51	\$34,557.38	\$34,516.85	\$5,273.77	
7/31/2000	\$6,083.75	\$172.01									\$172.01	\$40,813.14	\$40,772.61	\$6,083.75	
8/31/2000	\$7,068.47	\$201.90									\$201.90	\$48,083.51	\$48,042.98	\$7,068.47	
9/30/2000	\$4,902.16	\$208.79				\$0.00					\$208.79	\$53,194.46	\$53,153.93	\$4,902.16	
10/31/2000	\$7,032.46	\$273.49									\$273.49	\$60,500.41	\$60,459.88	\$7,032.46	
11/30/2000	\$8,161.35	\$286.40									\$286.40	\$68,948.15	\$68,907.63	\$8,161.35	
12/31/2000	\$8,397.39	\$313.89				\$0.00					\$313.89	\$77,659.44	\$77,618.91	\$8,397.39	
1/31/2001	\$12,874.16	\$383.10				\$0.00					\$383.10	\$90,916.70	\$90,876.17	\$12,874.16	
2/28/2001	\$28,254.22	\$697.89				\$0.00					\$697.89	\$106,611.55	\$106,554.12	\$28,254.22	
3/31/2001	\$8,425.15	\$365.15				\$2.00					\$365.15	\$115,401.85	\$115,346.42	\$8,425.15	
4/30/2001											\$0.00		\$119,583.75	\$119,583.75	
5/31/2001	\$3,146.74	\$311.43				\$0.00					\$311.43	\$123,055.84	\$123,041.92	\$3,146.74	
6/30/2001	\$2,141.15	\$266.77				\$0.00					\$266.77	\$125,463.76	\$125,449.84	\$2,141.15	
7/31/2001	\$324.99	\$280.28				\$0.00					\$280.28	\$126,059.03	\$126,055.11	\$324.99	
8/31/2001	\$553.10	\$272.65				\$0.00					\$272.65	\$126,894.78	\$126,880.86	\$553.10	
9/30/2001	\$787.29	\$205.31				\$0.00					\$205.31	\$127,887.38	\$127,873.46	\$787.29	
10/31/2001	\$736.02	\$185.52				\$0.00					\$185.52	\$128,808.92	\$128,795.00	\$736.02	
11/30/2001	\$0.00	\$0.00				\$0.00					\$0.00	\$129,325.08	\$129,165.13	\$0.00	
12/31/2001	\$29.07	\$156.28				\$0.00					\$156.28	\$129,510.43	\$129,350.48	\$29.07	
1/31/2002	\$33.50	\$92.78				\$0.00					\$92.78	\$129,636.71	\$129,476.76	\$33.50	
2/28/2002	\$0.00	\$68.63				\$0.00					\$68.63	\$129,705.34	\$129,545.39	\$0.00	
3/31/2002	\$57.77	\$75.92				\$0.00					\$75.92	\$129,839.03	\$129,679.08	\$57.77	
4/30/2002	\$0.00	\$0.00				\$0.00					\$0.00	\$129,839.03	\$129,679.08	\$0.00	
5/31/2002	\$35.89	\$84.47				\$0.00					\$84.47	\$129,959.39	\$129,799.44	\$35.89	
6/30/2002	\$0.00	\$71.05				\$0.00					\$71.05	\$130,030.44	\$129,870.49	\$0.00	
7/31/2002	\$0.00	\$67.16				\$0.00					\$67.16	\$130,097.60	\$129,937.65	\$0.00	
8/31/2002	\$0.00	\$70.60				\$0.00					\$70.60	\$130,168.20	\$130,008.25	\$0.00	
9/30/2002	\$0.00	\$68.30				\$0.00					\$68.30	\$130,236.50	\$130,076.55	\$0.00	
10/31/2002	\$0.00	\$57.80				\$0.00					\$57.80	\$130,294.30	\$130,134.35	\$0.00	
11/30/2002	\$0.00	\$63.95				\$0.00					\$63.95	\$130,358.25	\$130,198.30	\$0.00	
12/31/2002	\$1.72	\$60.27				\$0.00					\$60.27	\$130,420.24	\$130,260.29	\$1.72	
1/31/2003	\$0.00	\$29.60				\$0.00					\$29.60	\$130,449.84	\$130,289.89	\$0.00	
2/28/2003	\$0.00	\$27.13				\$0.00					\$27.13	\$130,476.97	\$130,317.02	\$0.00	
3/31/2003	\$0.00	\$13.56				\$0.00					\$13.56	\$130,490.53	\$130,330.58	\$0.00	
4/30/2003	\$0.00	\$22.18				\$0.00					\$22.18	\$130,512.71	\$130,352.76	\$0.00	
5/31/2003	\$0.00	\$15.40				\$0.00					\$15.40	\$130,528.11	\$130,368.16	\$0.00	
6/30/2003	\$0.00	\$21.14				\$0.00					\$21.14	\$130,549.25	\$130,389.30	\$0.00	
7/31/2003	\$0.00	\$12.92				\$0.00					\$12.92	\$130,562.17	\$130,402.22	\$0.00	
8/31/2003	\$0.00	\$5.35				\$0.00					\$5.35	\$130,567.52	\$130,407.57	\$0.00	
9/30/2003	\$0.00	\$4.70				\$0.00					\$4.70	\$130,572.22	\$130,412.27	\$0.00	
10/31/2003	\$0.00	\$7.18				\$0.00					\$7.18	\$130,579.40	\$130,419.45	\$0.00	








**AFFIDAVIT OF MAILING – COAL OWNER**

COMMONWEALTH OF VIRGINIA  
COUNTY OF **BUCHANAN**

**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for **W9**  
VGOB: 97-0121-0562-02

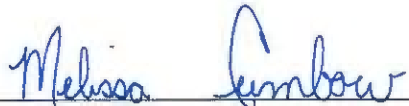
I, Anita D. Duty, after being duly sworn upon oath, state as follows:

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 **October 31, 2015** a true and correct copy of the coal owner dismissal and prior order 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 28th day of December, 2015.

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

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE

CNX Gas Company LLC

Unit W9 part of VP8SGU3 & VP8SGU5

VGOB 97-0121-0562-02

**Coal owner dismissal**

Last Name	First Name	MAILED	RECEIPT #	Received
Harrison Wyatt LLC (coal owner)		10/31/15	7015152000035333 4163	11/5/2015

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

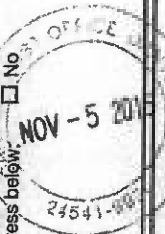
1. Article Addressed to:

Harrison-Wyatt, LLC  
 PO Box 11000  
 DANVILLE VA 24543-5017

**COMPLETE THIS SECTION ON DELIVERY**

Signature: *[Handwritten Signature]*  
 B. Received by (Printed Name): *[Handwritten Name]*  
 C. Date of Delivery: *[Handwritten Date]*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below: *[Handwritten Address]*



3. Service Type  
 Certified Mail®  Priority Mail Express®  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery  Yes  
 Restricted Delivery? (Extra Fee)  Yes

2. Article # 7015 1520 0003 5333 4163  
 PS Form 3811, July 2013  
 Domestic Return Receipt 417, U18 1001, X9, Y9, Y10