

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** CNX Gas Company LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 05-0315-1415-03

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

**HEARING DATE:** January 19, 2016

**DRILLING UNIT:** AZ123

**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) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1E, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the following parties: Swords Creek Land Partnership, Daniel Lee Keen, Raymond Slate, Jr., Ralph Roten, Linda Jane Miller, Donald Lee Myers, James Alan Myers & Jean Miller.

**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

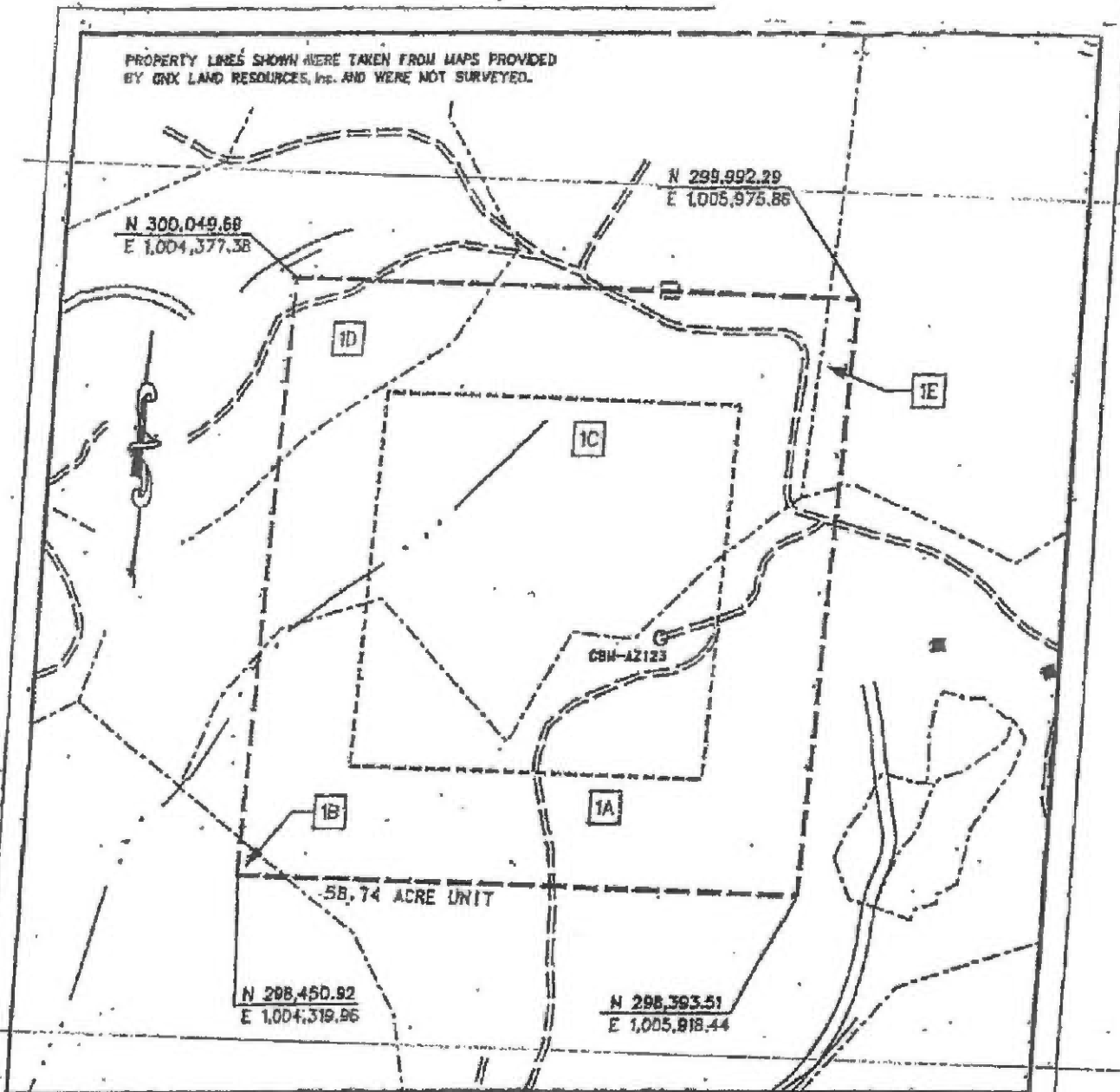
**5. Factual basis for relief requested**

- a. Swords Creek Land Partnership & Raymond Slate, Jr have entered into royalty agreement(s). 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. Daniel Lee Keen, Ralph Roten, Linda Jane Miller, Donald Lee Myers, James Alan Myers, & Jean Miller are the gas claimants in Tract 1E 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.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.



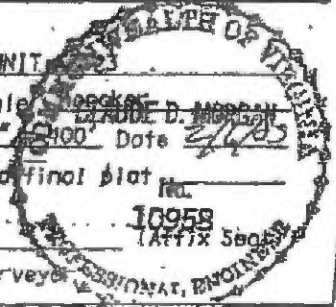
58.74 ACRE UNIT

EXHIBIT-A  
MIDDLE RIDGE 1 FIELD  
UNIT AZ-123  
FORCE POOLING  
VGDB-05-0315-1415

Company CNX Gas Company LLC Well Name and Number UNIT 123  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle SECTION 25  
 County Russell District New Garden Scale: 1" = 300' Date 2/1/05  
 This plot is a new plot X ; an updated plot \_\_\_\_\_ ; or a final plot \_\_\_\_\_

Form DCO-60-7  
Rev. 9/91

Charles D. Morgan  
Licensed Professional Engineer or Licensed Land Surveyor



## CNX GAS COMPANY LLC

### UNIT AZ123

Tract identifications  
(68.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
A. E. Richardson Heirs - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
26.12 acres 44.4671%
- 1B. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Donald Richardson, et ux - Surface and All Minerals except Coal  
0.16 acres 0.2724%
- 1C. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Charles Robinson, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
27.70 acres 47.1570%
- 1D. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Kenneth C. Miller, Jr., et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
3.66 acres 5.2306%
- 
- 1E. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Coal Leased  
Knox Creek Coal Company - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Ralph J. Childress, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (84%)  
1.10 acres 1.8727%



Exhibit E  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents that Require Escrow  
(58.74 Acre Unit)

|  | Net Acres<br>in Unit               | Interest in<br>Unit |
|--|------------------------------------|---------------------|
| <b><u>Tract #1E - 1.10 acres</u></b>   |                                    |                     |
| <b><u>COAL OWNERSHIP</u></b>   |                                    |                     |
| (1) Swords Creek Land Partnership<br>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 1.10 acres                         | 1.8727%             |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>  |                                    |                     |
| Arnold Keen Heirs, Devisees, Successors or Assigns<br>(81.00 Acre SOG Tract)   | 1.10 acres                         | 1.8727%             |
| <b><i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i></b>           |                                    |                     |
| (2) Robert L. Keen Heirs, Devisees,<br>Successors or Assigns   |                                    |                     |
| (b) Nell Fern Stallard<br>12092 US Highway 19<br>Lebanon, VA 24266-7083  | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             |
| (d) Vernie Lewis Keen<br>972 Pigeon Ridge Road<br>Crossville, TN 38555   | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             |
| (l) Ella Mae Vandyke<br>103 Linkous Drive<br>Lebanon, VA 24266   | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             |
| (m) Allie Gray Eichelberger Heirs, Devisees,<br>Successors or Assigns  |                                    |                     |
| (m.1) John Preston Eichelberger<br>6178 Wesley Chapel Rd.<br>Free Union, VA 22940  | 0.004 acres<br>1/312 of 1.10 acres | 0.0060%             |
| (m.2) Sarah Boyd Tankersley<br>23 Lakeshore Drive<br>Florence, KY 41042  | 0.004 acres<br>1/312 of 1.10 acres | 0.0060%             |
| (m.3) Ben Eicheleberger, III Heirs, Devisees,<br>Successors or Assigns   |                                    |                     |
| (m.3.1) Elizabeth Eichelberger<br>1675 Sleepy Hollow Road<br>Christiansburg, VA 24073  | 0.004 acres<br>1/312 of 1.10 acres | 0.0060%             |
| (4) Lydia Miller Heirs, Devisees,<br>Successors or Assigns   |                                    |                     |
| (b) Arvil C. Miller Heirs, Devisees,<br>Successors or Assigns  |                                    |                     |
| (b.1) Jessie Miller<br>2420 Baltimore Pike<br>Oxford, PA 19363   | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             |
| (c.2) John Myers, Jr. Heirs, Devisees, Successors or Assigns   |                                    |                     |
| (c.2.1) Vickie Lynn Myers<br>147 Hollywood Beach Road<br>Chesapeake City, MD 21915   | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             |
| (5) Peter Parson Keen Heirs, Devisees,<br>Successors or Assigns  |                                    |                     |
| (c) Chester Wiley Keen<br>PO Box 23  | 0.013 acres<br>1/88 of 1.10 acres  | 0.0213%             |

Exhibit E  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents that Require Escrow  
(58.74 Acre Unit)

|  | Net Acres<br>in Unit              | Interest in<br>Unit |
|--|-----------------------------------|---------------------|
| Montvalle, VA 24122  |                                   |                     |
| (e) Carrie Dell Keen<br>1510 Carlisle Ave.<br>Roanoke, VA 24014                                      | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (f) Melinda Mayzell Sykes<br>1125 Wasena Ave. SW<br>Roanoke, VA 24015                                | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (g) Sylvia Loretta Withrow<br>359 Hiawatha Dr.<br>Ferrum, VA 24088                                   | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (h) Donny Sherman Keen<br>1959 Alleghany Spring Rd.<br>Shawsville, VA 24162                          | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (i) Shirley Arrington<br>1125 Wasena Ave. SW<br>Roanoke, VA 24015                                    | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (j) Wilma Doretta Keen<br>5104 Hwy 25 N<br>Hodges, SC 29653  | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (k) Parson Junior Keen<br>PO Box 23<br>Montvale, VA 24122  | 0.013 acres<br>1/88 of 1.10 acres | 0.0213%             |
| (6) Charlie A. Keen Heirs, Devisees,<br>Successors or Assigns  |                                   |                     |
| (d) Mitchell Keene<br>P.O. Box 610<br>Oceana, WV 24870   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             |
| (e) James Keene<br>P.O. Box 63<br>Fairdale, WV 25939   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             |
| (7) John T. Keen Heirs, Devisees,<br>Successors or Assigns   |                                   |                     |
| (e) Lydia Jane Honaker<br><i>Conveyed by Quitclaim Deed to Stanley E. Keen DB 596-609 10/20/2003</i> |                                   |                     |
| (e.1) Stanley E. Keen<br>2271 Lynn Springs Rd.<br>Swords Creek, VA 24649                             | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             |
| <b>Total Acreage in Conflict</b>   | 0.2592                            |                     |
| <b>Total Percentage in Conflict</b>  |                                   | 0.4412%             |

Exhibit EE  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

|   | Net Acres<br>in Unit             | Interest in<br>Unit | Percent of<br>Escrow   |
|---|----------------------------------|---------------------|--|
| <b><u>Tract #1A - 26.12 acres</u></b>   |                                  |                     |  |
| <b><u>COAL OWNERSHIP</u></b>  |                                  |                     |  |
| (1) Swords Creek Land Partnership<br><i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i><br>P.O. Box 29<br>Tazewell, VA 24651 | 26.12 acres                      | 44.4671%            | <i>n/a</i>   |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>   |                                  |                     |  |
| Pauline Richardson Miller, et al.   |                                  |                     |  |
| (1) A. E. Richardson Heirs, devisees, Successors or Assigns<br><i>(75.69 Acre SOG Tract)</i>  | 26.12 acres                      | 44.4671%            |  |
| (a) Pauline Richardson Miller<br>P.O. Box 131<br>Swords Creek, VA 24649   | 8.71 acres<br>1/3 of 26.12 acres | 14.8224%            | <i>n/a</i>   |
| (b) Daniel F. Richardson<br>383 A. E. Lane<br>Swords Creek, VA 24649  | 8.71 acres<br>1/3 of 26.12 acres | 14.8224%            | <i>n/a</i>   |
| (c) David A. Richardson<br>P.O. Box 788<br>Raven, VA 24639  | 8.71 acres<br>1/3 of 26.12 acres | 14.8224%            | <i>n/a</i>   |
| <b><u>Tract #1B - 0.16 acres</u></b>  |                                  |                     |  |
| <b><u>COAL OWNERSHIP</u></b>  |                                  |                     |  |
| (1) Swords Creek Land Partnership<br><i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i><br>P.O. Box 29<br>Tazewell, VA 24651 | 0.16 acres                       | 0.2724%             | <i>n/a</i>   |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>   |                                  |                     |  |
| (1) Donald Richardson, et ux.<br>Box 71<br>Swords Creek, VA 24649   | 0.16 acres                       | 0.2724%             | <i>n/a</i>   |
| <b><u>Tract #1C - 27.70 acres</u></b>   |                                  |                     |  |
| <b><u>COAL OWNERSHIP</u></b>  |                                  |                     |  |
| (1) Swords Creek Land Partnership<br><i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i><br>P.O. Box 29<br>Tazewell, VA 24651 | 27.70 acres                      | 47.1570%            | <i>n/a</i>   |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>   |                                  |                     |  |
| (1) Charles E. Robinson, et al.<br><i>(82.00 Acre SOG Tract)</i>  | 27.70 acres                      | 47.1570%            |  |
| (a) Charles Edwin Robinson  |                                  |                     | <i>Conveyed by Deed of Bargain &amp; Sale to Steven Wayne Robinson<br/>DB752-222 8/31/2012</i> |



Exhibit EE  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

|  | Net Acres<br>in Unit               | Interest in<br>Unit | Percent of<br>Escrow |       |
|--|------------------------------------|---------------------|----------------------|-------|
| (g) Terry Linkous Keen<br><i>Conveyed by Deed of Gift to Oma Jane Ferebee DB 590/100, 8/2003</i> |                                    |                     |                      |       |
| (g.1) (Oma) Jane Keen Ferebee<br>107 Jonathan Trail<br>Shelby, NC 28150                          | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             | n/a                  |       |
| (h) (Oma) Jane Keen Ferebee<br>107 Jonathan Trail<br>Shelby, NC 28150                            | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             | n/a                  |       |
| (i) Eunice Beatrice Ray<br>202 Hill Creek<br>Richlands, VA 24641-2015                            | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             | n/a                  |       |
| (j) Robert Elden Keen<br>3585 Lynn Springs Rd.<br>Swords Creek, VA 24649                         | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             | n/a                  |       |
| (k) Alfred Lee Keen<br>P.O. Box 207<br>Cedar Bluff, VA 24609                                     | 0.011 acres<br>1/104 of 1.10 acres | 0.0180%             | n/a                  |       |
| (3) Bascom Keen Heirs, Devisees,<br>Successors or Assigns  |                                    |                     |                      |       |
| (a) Virginia Spiva<br>3140 State Hwy 325<br>Blairsville, GA 30512                                | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | n/a                  |       |
| (b) Alice Albert<br>152 Westfield Drive<br>Rockingham, NC 28379                                  | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | n/a                  |       |
| (c) Ada Ruth Byrd<br><i>Conveyed by Quitclaim Deed to Daniel Lee Keen DB 593/809, 9/26/2003</i>  |                                    |                     |                      |       |
| (c.1) Daniel Lee Keen<br>48 Daisy Lane<br>Swords Creek, VA 24649                                 | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | n/a                  |       |
| (d) Daniel Lee Keen<br>48 Daisy Lane<br>Swords Creek, VA 24649                                   | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | 7.4526%<br>HB2058    | -100% |
| (e) Victoria Slate Heirs, Devisees,<br>Successors or Assigns                                     |                                    |                     |                      |       |
| (e.1) Raymond Slate, Jr.<br>1829 Lynn Springs Rd.<br>Swords Creek, VA 24649                      | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | 0.9316%              | -50%  |
| (e.2) Jeffery Wayne Slate<br>PO Box 33<br>Swords Creek, VA 24649                                 | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | n/a                  |       |
| (e.3) Sheila Gail (Slate) Lofton<br>HC69 Box 1828<br>White Sulphur Springs, WV 24986             | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | n/a                  |       |

Exhibit EE  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

|   | Net Acres<br>in Unit               | Interest in<br>Unit | Percent of<br>Escrow            |       |
|---|------------------------------------|---------------------|---------------------------------|-------|
| (e.4) Jackie Dale Slate<br>c/o Keen Mountain Correctional Ctr.<br>PO Box 860 / B-138<br>Oakwood, VA 24631 | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | <i>n/a</i>                      |       |
| <b>(4) Lydia Miller Heirs, Devisees,<br/>Successors or Assigns</b>  |                                    |                     |                                 |       |
| <b>(a) Annis Roten Heirs, Devisees,<br/>Successors or Assigns</b>   |                                    |                     |                                 |       |
| (a.1) Ralph Roten<br>270 Bethel Road<br>Oxford, PA 19363  | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | <b>7.4526%</b><br><b>HB2058</b> | -100% |
| <b>(c) Helen Arbutus Myers Heirs, Devisees,<br/>Successors or Assigns</b>                                 |                                    |                     |                                 |       |
| (c.1) Linda Jane Miller<br>1160 Reserve Place<br>Davenport, FL 33896                                      | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | <b>1.8631%</b><br><b>HB2058</b> | -100% |
| (c.3) Donald Lee Myers<br>4302 Holly Park Court<br>Kissimmee, FL 34746                                    | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | <b>1.8631%</b><br><b>HB2058</b> | -100% |
| (c.4) James Alan Myers<br>309 Cecil Street<br>Chesapeake City, MD 21915                                   | 0.007 acres<br>1/160 of 1.10 acres | 0.0117%             | <b>1.8631%</b><br><b>HB2058</b> | -100% |
| <b>(d) Hubert Dexter Miller Heirs, Devisees, Successors or Assigns</b>                                    |                                    |                     |                                 |       |
| (d.1) Jean H. Miller<br>8 Viola Circle<br>Middletown, DE 19709  | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | <b>7.4526%</b><br><b>HB2058</b> | -100% |
| (e) Lois Briggs<br>345 Carnation Drive<br>New Providence, PA 17560  | 0.028 acres<br>1/40 of 1.10 acres  | 0.0468%             | <i>n/a</i>                      |       |
| <b>(5) Peter Parson Keen Heirs, Devisees,<br/>Successors or Assigns</b>                                   |                                    |                     |                                 |       |
| (a) Jessie Mildred Ward<br>P.O. Box 244<br>Raven, VA 24639  | 0.013 acres<br>1/88 of 1.10 acres  | 0.0213%             | <i>n/a</i>                      |       |
| <b>(b) Paul Keen Heirs, Devisees,<br/>Successors or Assigns</b>   |                                    |                     |                                 |       |
| (b.1) Linda Keen<br>PO Box 72<br>Swords Creek, VA 24649   | 0.013 acres<br>1/88 of 1.10 acres  | 0.0213%             | <i>n/a</i>                      |       |
| (d) Oris Thomas Keen<br>Rt.1 Box 228C<br>Honaker, VA 24260  | 0.013 acres<br>1/88 of 1.10 acres  | 0.0213%             | <i>n/a</i>                      |       |
| <b>(6) Charlie A. Keen Heirs, Devisees,<br/>Successors or Assigns</b>                                     |                                    |                     |                                 |       |

Exhibit EE  
Unit AZ-123  
VGOB Docket #05-0315-1415-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

|   | Net Acres<br>in Unit              | Interest in<br>Unit | Percent of<br>Escrow |
|---|-----------------------------------|---------------------|----------------------|
| (a) Betty Lou Meadows Heirs, Devisees,<br>Successors or Assigns<br><i>(Possibly deceased 1/3/11 - documentation pending)</i>  | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| (b) Ronald Keene<br>PO Box 63<br>Fairdale, WV 25839   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| (c) Harley Keene<br>PO Box 63<br>Fairdale, WV 25839   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| <b>(7)</b> John T. Keen Heirs, Devisees,<br>Successors or Assigns   |                                   |                     |                      |
| (a) Thomas Dean Keen<br>PO Box 372<br>Swords Creek, VA 24649  | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| (b) John B. Keen<br>P.O. Box 15<br>Pounding Mill, VA 24637  | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| (c) Stanley E. Keen<br>2271 Lynn Springs Rd<br>Swords Creek, VA 24649   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| (d) Francis Gaynell Street<br>P.O. Box 506<br>Honaker, VA 24260   | 0.028 acres<br>1/40 of 1.10 acres | 0.0468%             | <i>n/a</i>           |
| <b>(8)</b> Donald E. Keen (Deceased) Conveyed by Deed of Gift to Ralph Childress, et ux DB 516-375<br>Successors or Assigns<br><i>Conveyed by Deed of Gift to Ralph Childress, et ux DB 516-375</i> |                                   |                     |                      |
| (a) Ralph Childress, et ux<br>373 Williams Street<br>Bluefield, VA 24605  | 0.138 acres<br>1/8 of 1.10 acres  | 0.2341%             | <i>n/a</i>           |
| <b>Total Acreage Resolved</b>   | 58.4808                           |                     |                      |
| <b>Total Percentage Resolved</b>  |                                   | 99.5588%            |                      |

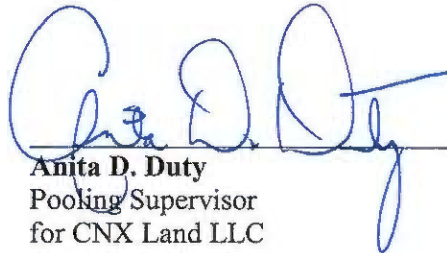
# AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA  
COUNTY OF **RUSSELL**

**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for AZ123  
VGOB: 05-0315-1415-03

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 11, 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 7<sup>th</sup> day of January,  
2016.

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

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE  
CNX Gas Company LLC

Unit AZ123  
VGOB 05-0315-1415-03  
**Disbursement**

| Last Name                     | First Name | MAILED     | RECEIPT #        | RECEIVED |              |
|-------------------------------|------------|------------|------------------|----------|--------------|
| Keen                          | Daniel Lee | 12/11/2015 | 7015152000012434 | 7705     | 12/29/2015 1 |
| Miller                        | Jean       | 12/11/2015 | 7015152000012434 | 7699     | 12/14/2015 2 |
| Miller                        | Linda      | 12/11/2015 | 7015152000012434 | 7682     | 12/14/2015 3 |
| Myers                         | Donald     | 12/11/2015 | 7015152000012434 | 7675     | 12/14/2015 4 |
| Myers                         | James Alan | 12/11/2015 | 7015152000012434 | 7668     | 12/15/2015 5 |
| Roten                         | Ralph      | 12/11/2015 | 7015152000012434 | 7651     | 12/14/2015 6 |
| Slate Jr.                     | Raymond    | 12/11/2015 | 7015152000012434 | 7644     | 12/2/2015 7  |
| Swords Creek Land Partnership |            | 12/11/2015 | 7015152000012434 | 7637     | 12/14/2015 8 |

**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.

Article Addressed to:  
James Alan Myers  
309 Cecil Street  
Chesapeake City MD 21915

9590 9403 0923 5223 4086 87

Article Number (Transfer from service label)  
015 1520 0001 2434 7668  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**RECIPIENT: 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.

Article Addressed to:  
Daniel L. (Danny) Keen  
18 DAISY LN  
Swords Creek VA 24649-7409

9590 9403 0923 5223 4086 49

Article Number (Transfer from service label)  
015 1520 0001 2434 7705  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
X *[Signature]*  Address  
B. Received by (Printed Name)  Date of Delivery  
*[Name]* *[Date]*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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

Article Number (Transfer from service label)  
015 1520 0001 2434 7668  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
X *[Signature]*  Address  
B. Received by (Printed Name)  Date of Delivery  
*[Name]* *[Date]*  
C. Date of Delivery  
*[Date]*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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

Article Number (Transfer from service label)  
015 1520 0001 2434 7705  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**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.

Article Addressed to:  
Donald Lee Myers  
4302 Holly Park Court  
Kissimmee FL 34746

9590 9403 0923 5223 4086 70

Article Number (Transfer from service label)  
015 1520 0001 2434 7675  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**RECIPIENT: 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.

Article Addressed to:  
Jean H Miller  
8 VIOLA CIR  
MIDDLETOWN DE 19709-2411

9590 9403 0923 5223 4086 56

Article Number (Transfer from service label)  
015 1520 0001 2434 7699  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
X *[Signature]*  Address  
B. Received by (Printed Name)  Date of Delivery  
*[Name]* *[Date]*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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

Article Number (Transfer from service label)  
015 1520 0001 2434 7675  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
X *[Signature]*  Address  
B. Received by (Printed Name)  Date of Delivery  
*[Name]* *[Date]*  
C. Date of Delivery  
*[Date]*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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

Article Number (Transfer from service label)  
015 1520 0001 2434 7699  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**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.

Article Addressed to:

Raymond Perry Slate, Jr.  
1829 LYNN SPRINGS RD  
Swords Creek VA 24649-7783



9590 9403 0923 5223 4079 94

Article Number (Transfer from service label)

7015 1520 0001 2434 7644

**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.

Article Addressed to:

Ralph Rothen  
270 Bethel Rd  
Oxford PA 19363



9590 9403 0923 5223 4079 87

Article Number (Transfer from service label)

7015 1520 0001 2434 7651

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Raymond Perry Slate*

B. Received by (Printed Name)  Agent

*Raymond Perry Slate*

C. Date of Delivery  Address

*12/14/15*

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Collect on Delivery  Return Receipt for Merchandise

Insured Mail  Signature Confirmation™

Restricted Mail Restricted Delivery  Restricted Delivery

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Ralph Rothen*

B. Received by (Printed Name)  Agent

*Ralph Rothen*

C. Date of Delivery  Address

*12/14/15*

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Collect on Delivery  Return Receipt for Merchandise

Insured Mail  Signature Confirmation™

Restricted Mail Restricted Delivery  Restricted Delivery

**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.

Article Addressed to:

Swords Creek Land Partnership  
PO Box 29  
Tazewell VA 24651-0029



9590 9403 0923 5223 4080 07

Article Number (Transfer from service label)

7015 1520 0001 2434 7637

**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.

Article Addressed to:

Linda Jane Miller  
1160 Reserve Place  
Davenport FL 33896



9590 9403 0923 5223 4086 63

Article Number (Transfer from service label)

7015 1520 0001 2434 7682  
PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Linda Jane Miller*

B. Received by (Printed Name)  Agent

*Linda Jane Miller*

C. Date of Delivery  Address

*12/14/15*

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Collect on Delivery  Return Receipt for Merchandise

Insured Mail  Signature Confirmation™

Restricted Mail Restricted Delivery  Restricted Delivery

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Linda Jane Miller*

B. Received by (Printed Name)  Agent

*Linda Jane Miller*

C. Date of Delivery  Address

*12/14/15*

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Collect on Delivery  Return Receipt for Merchandise

Insured Mail  Signature Confirmation™

Restricted Mail Restricted Delivery  Restricted Delivery





**Exhibit J  
Unit AZ123 Escrow Account Reconciliation  
VGOB 05-0315-1415**

| CNX Deposit Information |              |          |
|-------------------------|--------------|----------|
| Check Date              | Check Number | Total    |
| 5/19/2014               | E000026438   | \$32.98  |
| 6/30/2014               | E000029164   | \$14.37  |
| 7/18/2014               | E000030057   | \$16.03  |
| 8/21/2014               | E000031823   | \$15.35  |
| 9/18/2014               | E000033701   | \$14.60  |
| 10/20/2014              | E000037534   | \$11.12  |
| 12/22/2014              | E000040867   | \$111.42 |
| 1/20/2015               | E000042685   | \$56.18  |
| 2/19/2015               | E000044710   | \$68.37  |
| 3/19/2015               | E000046515   | \$44.73  |
| 4/21/2015               | E000048434   | \$39.29  |
| 5/20/2015               | E000051240   | \$37.04  |
| 6/23/2015               | E000053232   | \$4.92   |
| 7/20/2015               | E000055180   | \$5.35   |
| 8/24/2015               | E000057167   | \$6.11   |
| 9/22/2015               | E000059071   | \$6.37   |
| 10/22/2015              | E000063399   | \$6.35   |

| Escrow Bank Data |                         |        |              |           |          |               |             |             |           |               |                     |              |            | Running Balance | Difference |
|------------------|-------------------------|--------|--------------|-----------|----------|---------------|-------------|-------------|-----------|---------------|---------------------|--------------|------------|-----------------|------------|
| Date             | Escrow Royalty Deposits | Income | \$ Mrket Int | CDARS Int | Fees     | Distributions | Corrections | Audit Costs | Gain/Loss | Royalty Bonus | Total Int. and Fees | Bank Balance |            |                 |            |
| 5/31/2014        | \$32.98                 |        | \$0.15       | \$0.00    | (\$0.08) |               |             |             |           |               | \$0.07              | \$951.25     | \$948.69   | (\$2.56)        |            |
| 6/30/2014        |                         |        | \$0.15       | \$0.00    | (\$0.08) |               |             |             |           |               | \$0.07              | \$951.32     | \$963.13   | \$11.81         |            |
| 7/31/2014        | \$30.40                 |        | \$0.16       | \$0.00    | (\$0.08) |               |             |             |           |               | \$0.08              | \$981.80     | \$979.24   | (\$2.56)        |            |
| 8/31/2014        | \$15.35                 |        | \$0.17       |           | (\$0.08) |               |             |             |           |               | \$0.09              | \$997.24     | \$994.68   | (\$2.56)        |            |
| 9/30/2014        | \$14.60                 |        | \$0.15       |           | (\$0.08) |               |             |             |           |               | \$0.07              | \$1,011.91   | \$1,009.35 | (\$2.56)        |            |
| 10/31/2014       | \$11.12                 |        | \$0.16       |           | (\$0.08) |               |             |             |           |               | \$0.08              | \$1,023.11   | \$1,020.55 | (\$2.56)        |            |
| 11/30/2014       |                         |        | \$0.17       |           | (\$0.09) | (\$33.50)     |             |             |           |               | \$0.08              | \$989.69     | \$987.13   | (\$2.56)        |            |
| 12/31/2014       | \$111.42                |        | \$0.32       |           | (\$0.08) |               |             |             |           |               | \$0.24              | \$1,101.35   | \$1,098.79 | (\$2.56)        |            |
| 1/31/2015        | \$56.18                 |        | \$0.27       |           | (\$0.09) |               |             |             |           |               | \$0.18              | \$1,157.71   | \$1,155.15 | (\$2.56)        |            |
| 2/28/2015        | \$68.37                 |        | \$0.18       |           | (\$0.10) |               |             |             |           |               | \$0.08              | \$1,226.16   | \$1,223.60 | (\$2.56)        |            |
| 3/31/2015        | \$44.73                 |        | \$0.21       |           | (\$0.10) |               |             |             |           |               | \$0.11              | \$1,271.00   | \$1,268.44 | (\$2.56)        |            |
| 4/30/2015        | \$39.29                 |        | \$0.21       |           | (\$0.11) |               |             |             |           |               | \$0.10              | \$1,310.39   | \$1,307.83 | (\$2.56)        |            |
| 5/31/2015        | \$37.04                 |        | \$0.22       |           | (\$0.11) |               |             |             |           |               | \$0.11              | \$1,347.54   | \$1,344.98 | (\$2.56)        |            |
| 6/30/2015        | \$4.92                  |        | \$0.22       |           | (\$0.11) |               |             |             |           |               | \$0.11              | \$1,352.57   | \$1,350.01 | (\$2.56)        |            |
| 7/31/2015        | \$5.35                  |        | \$0.23       | \$0.00    | (\$0.11) |               |             |             |           |               | \$0.12              | \$1,358.04   | \$1,355.48 | (\$2.56)        |            |
| 8/31/2015        | \$6.11                  |        | \$0.21       |           | (\$0.11) | \$0.00        | \$0.00      | \$0.00      |           |               | \$0.10              | \$1,364.25   | \$1,361.69 | (\$2.56)        |            |
| 9/30/2015        | \$6.37                  |        | \$0.20       | \$0.00    | (\$0.11) | \$0.00        | \$0.00      | \$0.00      |           |               | \$0.09              | \$1,370.71   | \$1,368.15 | (\$2.56)        |            |
| 10/31/2015       | \$6.35                  |        | \$0.21       | \$0.00    | (\$0.11) | \$0.00        | \$0.00      | \$0.00      |           |               | \$0.10              | \$1,377.16   | \$1,374.60 | (\$2.56)        |            |
| <b>Total</b>     |                         |        |              |           |          |               |             |             |           |               | <b>\$2.72</b>       |              |            |                 |            |

|  |                   |
|--|-------------------|
| <b>Total Deposited</b>                           | <b>\$1,509.46</b> |
| <b>01 Disbursement</b>                           | <b>-\$104.08</b>  |
| <b>02 Disbursement</b>                           | <b>-\$33.50</b>   |
| <b>Interest and Fees</b>                         | <b>\$2.72</b>     |
| <b>Total</b>                                     | <b>\$1,374.60</b> |
| <b>October 2015 First Bank and Trust balance</b> | <b>\$1,377.16</b> |
| <b>Difference</b>                                | <b>-\$2.56</b>    |

**AFFIDAVIT OF MAILING – COAL OWNER**

COMMONWEALTH OF VIRGINIA  
COUNTY OF **RUSSELL**

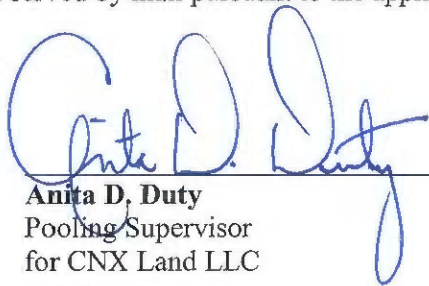
**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for AZ123  
VGOB: 05-0315-1415-02

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 **June 24, 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.

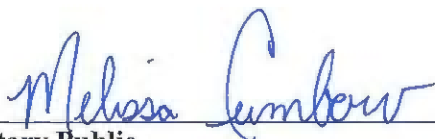
3. Notice of this cause has therefore been served by mail pursuant to the applicable statues and rules of the Board.

  
\_\_\_\_\_  
**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 10th day of December,  
2015.

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

My commission expires: April 9, 2023



CERTIFICATION OF NOTICE  
CNX Gas Company LLC

Unit AZ123  
VGOB 05-0315-1415-02  
**Coal dismissal letter**

| Last Name                                 | First Name | MAILED    | RECEIPT #                | RECEIVED  |
|---|------------|-----------|--------------------------|-----------|
| Swords Creek Land Partnership(Coal Owner) |            | 6/24/2015 | 7014349000018926<br>5315 | 6/26/2015 |

| 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 <span style="float: right;"><input type="checkbox"/> Agent</span><br/> <i>x Sharon C. Blawie</i> <span style="float: right;"><input checked="" type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span><br/> <i>Sharon C. Blawie</i></p>   |  |   |                                     |   |                                       |  |
| <p>1. Article Addressed to:<br/> <i>Swords Creek</i><br/> <i>PO Box 29</i><br/> <i>Taz VA 24651-0029</i></p>   | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/> <input checked="" type="checkbox"/> No<br/>         If YES, enter delivery address below:</p> <p style="text-align: center;">  </p> <p>3. Service Type</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Certified Mail</td> <td><input type="checkbox"/> Priority Mail Express™</td> </tr> <tr> <td><input type="checkbox"/> Registered</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td><input type="checkbox"/> Collect on Delivery</td> </tr> </table> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | <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 |
| <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   |  |   |                                     |   |                                       |  |
| <p>2. Article Number<br/>         (Transfer from service label)</p>  | <p><i>7014 3490 0001 8926 5315</i> <span style="float: right;"><i>A2123</i></span></p>   |  |   |                                     |   |                                       |  |
| <p>PS Form 3811, July 2013 <span style="float: right;">Domestic Return Receipt</span></p>  |  |  |   |                                     |   |                                       |  |