

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** CNX Gas Company LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 02-0917-1072-03

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4B (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.**

**HEARING DATE:** September 20, 2016

**DRILLING UNIT:** BA110

**RUSSELL COUNTY, VIRGINIA**

**PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS**

**1. Petitioner and its counsel**

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (276)596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

**2. Relief Sought**

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract 4B, as depicted upon the annexed Table; (2) authorization to begin paying royalties directly to Fred B. Gent, II; (3) Dismissal of Coal Owner: Buckhorn Coal Company.

**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. Fred B. Gent, II are the gas claimants in Tr. 4B. As such Fred B. Gent, II are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 02-0917-1072-02, it dismissed the coal claimant Buckhorn Coal Company as a Respondent to these proceedings. Accordingly, Buckhorn Coal Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. 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.
- f. 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 Fred B. Gent, II and shall 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.

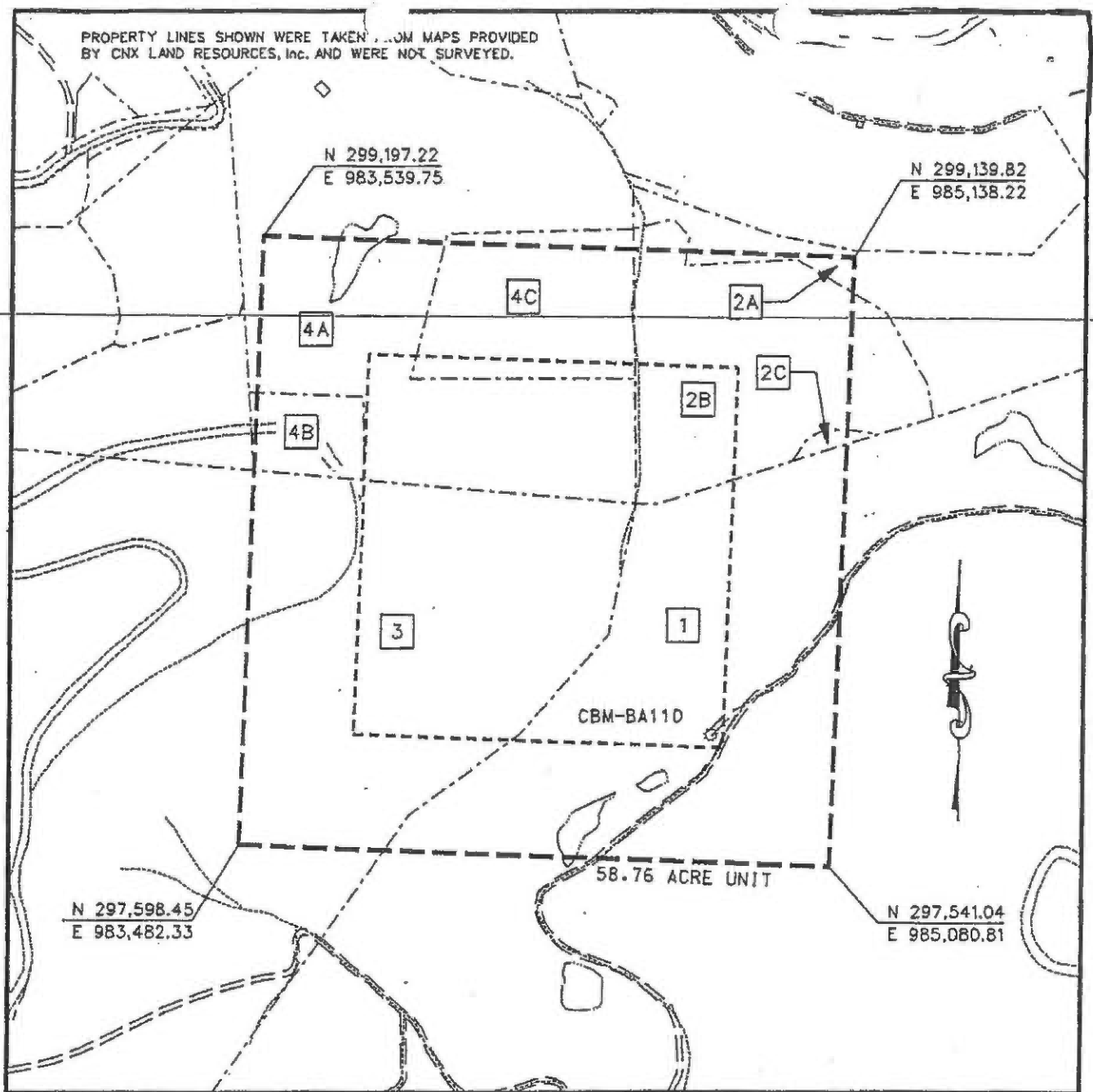
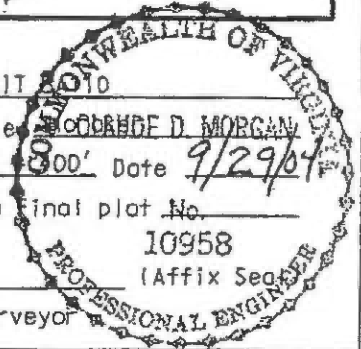


EXHIBIT A  
MIDDLE RIDGE 1 FIELD  
UNIT BA-110  
FORCE POOLING  
VGOB-02-0917-1072

Company CNX Gas Company LLC Well Name and Number UNIT BA110  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle MOORHEAD D. MORGAN  
County Russell District New Garden Scale: 1" = 800' Date 9/29/07  
This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat No. \_\_\_\_\_

Form DGO-60-7  
Rev. 9/91

*Charles D. Morgan*  
Licensed Professional Engineer or Licensed Land Surveyor



# CNX Gas Company LLC

Unit BA-110

Tract Identifications

(58.76 Acre Unit)

1. Buckhorn Coal Company Tr. 10 (J. T. Stinson 170 Acre Tract) - Fee  
~~Reserve Coal Properties Company - Below Drainage Coal Leased~~  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
17.90 acres    30.4629 %
  
- 2A. Buckhorn Coal Company Tr. 9 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Lowie Perkins, et al. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.35 acres    0.5956 %
  
- 2B. Buckhorn Coal Company Tr. 9 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Mary Dye, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (8/9)  
7.40 acres    12.5936 %
  
- 2C. Buckhorn Coal Company Tr. 9 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Donald Whited, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.14 acres    0.2383 %
  
3. Buckhorn Coal Company (Warder # 11 Tract) - Fee  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
17.98 acres    30.5990 %
  
- 4A. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Maggie Lee Dye - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
9.12 acres    15.5208 %

**CNX Gas Company LLC**

**Unit BA-110**

**Tract Identifications**

**(58.76 Acre Unit)**

- 4B. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
~~Reserve Coal Properties Company - Below Drainage Coal Leased~~  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Fred Gent, et al. - Surface and All Minerals except Coal  
1.42 acres      2.4166 %
- 4C. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Mary Dye, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (8/9)  
4.45 acres      7.5732 %



Exhibit E  
Unit BA-110  
Docket #VGOB 02-0917-1072-03  
List of Respondents in require escrow  
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit	
<b><u>Tract #2B, 7.40 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>Tr 9 (H. C. Stuart - 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	7.40 acres	12.5936%	<b>DISMISSED</b>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><i>W9 / Affidavit not received</i></b>			
(1) Mary Dye, et al. <i>(8.50 acre tract)</i>	7.40 acres	12.5936%	
(g) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.8222 acres 1/9 of 7.40 acres	1.3993%	
<b><u>Tract #4C, 4.45 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>(Jacob Fuller - 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	4.45 acres	7.5732%	<b>DISMISSED</b>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><i>W9 / Affidavit not received</i></b>			
(1) Mary Dye, et al. <i>(5.06 acre tract)</i>	4.45 acres	7.5732%	
(g) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.4944 acres 1/9 of 4.45 acres	0.8415%	
	<b>Total Acres Remaining</b>	1.3167	
	<b>Total Percentage Remaining</b>	2.2408%	

Exhibit EE  
Unit BA-110  
Docket #VGOB 02-0917-1072-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #2A, 0.35 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>Tr 9 (H. C. Stuart - 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	0.35 acres	0.5956%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Lowie Perkins, et al. <i>(11.00 acre tract)</i>	0.35 acres	0.5956%	
(a) Lowie Perkins 1452 Drill Road Honaker, VA 24260	0.33 acres 13/14 of 0.35 acres	0.5531%	<i>n/a</i>
(b) Wayne Perkins Heirs, Devisees, Successors or Assigns			
(b.1) Debbie P. & Keith Boyd		<i>Conveyed by DB 711/280 to Lowie Perkins 6/17/2009</i>	
(b.1.1) Lowie Perkins 1452 Drill Road Honaker, VA 24260	0.01 acres 1/28 of 0.35 acres	0.0213%	<i>n/a</i>
(b.2) Deirdra P & Johnny F. Rickman		<i>Conveyed by DB 705/283 to Earnest &amp; Nancy L. Perkins 5/8/2009</i>	
(b.2.1) Earnest L. & Nancy L. Perkins 1450 Drill Road Honaker, VA 24260	0.01 acres 1/28 of 0.35 acres	0.0213%	<i>n/a</i>
<b><u>Tract #2B, 7.40 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>Tr 9 (H. C. Stuart - 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	7.40 acres	12.5936%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Mary Dye, et al. <i>(8.50 acre tract)</i>	7.40 acres	12.5936%	
(a) Mary A. Dye Heirs, Devisees, Successors or Assigns			
(a.1) Dena Foster PO Box 391 Damascus, VA 24236	0.62 acres 1/12 of 7.40 acres	1.0495%	<i>n/a</i>
(a.2) Patricia Pridemore 3332 Cripple Creek Rd. Cripple Creek, VA 24322	0.62 acres 1/12 of 7.40 acres	1.0495%	<i>n/a</i>
(a.3) Leva Settoon 1032 Pin Oak Dr. Montgomery, LA 71454-4247	0.62 acres 1/12 of 7.40 acres	1.0495%	<i>n/a</i>

**Exhibit EE**  
**Unit BA-110**  
**Docket #VGOB 02-0917-1072-03**  
**List of Respondents with Royalty Split Agreements/Court Orders/HB2058**  
**(58.76 Acre Unit)**

	Acres in Unit	Interest in Unit	Percent of Escrow
(a.4) Howard Russell Dye 109 Park St., Apt 10 Canton, NC 28716	0.62 acres 1/12 of 7.40 acres	1.0495%	<i>n/a</i>
(b) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.82 acres 1/9 of 7.40 acres	1.3993%	<i>n/a</i>
(c) Mack Dye Heirs, Devisees, Successors or Assigns			
(c.1) Linda Dye 2956 East 65th Street Cleveland, OH 11427	0.82 acres 1/9 of 7.40 acres	1.3993%	<i>n/a</i>
(d) Russell H. Dye, Jr. 1456 Buckingham Gate Blvd., Unit F Cuyahoga Falls, OH 44221-5515	0.82 acres 1/9 of 7.40 acres	1.3993%	<i>n/a</i>
(e) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.82 acres 1/9 of 7.40 acres	1.3993%	<i>n/a</i>
(f) Janice Workman 7762 State Road Parma, OH 44134	0.82 acres 1/9 of 7.40 acres	1.3993%	<i>n/a</i>

**Tract #2C, 0.14 acres**

**COAL OWNERSHIP**

(1) Buckhorn Coal Company <i>Tr 9 (H. C. Stuart - 405.06 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	0.14 acres	0.2383%	<i>n/a</i>
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**OIL & GAS OWNERSHIP**

(1) Donald Whited P.O. Box 417 Swords Creek, VA 24649	0.14 acres	0.2383%	<i>n/a</i>
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**Tract #4A, 9.12 acres**

**COAL OWNERSHIP**

(1) Buckhorn Coal Company <i>(Jacob Fuller - 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	9.12 acres	15.5208%	<i>n/a</i>
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**OIL & GAS OWNERSHIP**

(1) Maggie Lee Dye P.O. Box 271 Swords Creek, VA 24649	9.12 acres	15.5208%	<i>n/a</i>
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Exhibit EE  
Unit BA-110  
Docket #VGOB 02-0917-1072-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #4B, 1.42 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>(Jacob Fuller - 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	1.42 acres	2.4166%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Fred B. Gent, et al. <i>(1.50 acre tract)</i>	1.42 acres	2.4166%	
(a) Fred B. Gent II 18159 Lee Highway Abingdon, VA 24210-7961	0.47 acres 1/3 of 1.42 acres	0.8055%	<b>26.4436%</b> <b>HB2058</b>
(b) FCHR, LLC PO Box 330 Honaker, VA 24260	0.95 acres 2/3 of 1.42 acres	1.6111%	<i>n/a</i>
<b><u>Tract #4C, 4.45 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Buckhorn Coal Company <i>(Jacob Fuller - 439.04 Acre Tract)</i> P. O. Box 187 Tazewell, VA 24651	4.45 acres	7.5732%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Mary Dye, et al. <i>(5.06 acre tract)</i>	4.45 acres	7.5732%	
(a) Mary A. Dye Heirs, Devisees, Successors or Assigns			
(a.1) Dena Foster PO Box 391 Damascus, VA 24236	0.37 acres 1/12 of 4.45 acres	0.6311%	<i>n/a</i>
(a.2) Patricia Pridemore 3332 Cripple Creek Rd. Cripple Creek, VA 24322	0.37 acres 1/12 of 4.45 acres	0.6311%	<i>n/a</i>
(a.3) Leva Settoon 1032 Pin Oak Dr. Montgomery, LA 71454-4247	0.37 acres 1/12 of 4.45 acres	0.6311%	<i>n/a</i>
(a.4) Howard Russell Dye 109 Park St., Apt 10 Canton, NC 28716	0.37 acres 1/12 of 4.45 acres	0.6311%	<i>n/a</i>
(b) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.49 acres 1/9 of 4.45 acres	0.8415%	<i>n/a</i>
(c) Mack Dye Heirs, Devisees, Successors or Assigns			

**Exhibit EE**  
**Unit BA-110**  
**Docket #VGOB 02-0917-1072-03**  
**List of Respondents with Royalty Split Agreements/Court Orders/HB2058**  
**(58.76 Acre Unit)**

	Acres in Unit	Interest in Unit	Percent of Escrow
(c.1) Linda Dye 2956 East 65th Street Cleveland, OH 11427	0.49 acres 1/9 of 4.45 acres	0.8415%	<i>n/a</i>
(d) Russell H. Dye, Jr. 1456 Buckingham Gate Blvd., Unit F Cuyahoga Falls, OH 44221-5515	0.49 acres 1/9 of 4.45 acres	0.8415%	<i>n/a</i>
(e) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.49 acres 1/9 of 4.45 acres	0.8415%	<i>n/a</i>
(f) Janice Workman 7762 State Road Parma, OH 44134	0.49 acres 1/9 of 4.45 acres	0.8415%	<i>n/a</i>
	<b>Total Acres Resolved</b>	21.5633	
	<b>Total Percentage Resolved</b>		36.6973%

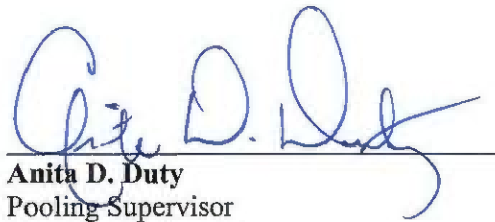
# AFFIDAVIT OF MAILING

COMMONWEALTH OF VIRGINIA  
COUNTY OF **RUSSELL**

**Applicant:** CNX Gas Company LLC  
**Relief Sought:** Disbursement Petition for BA110  
VGOB: 02-0917-1072-03

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 August 8, 2016 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 VIRGINIA

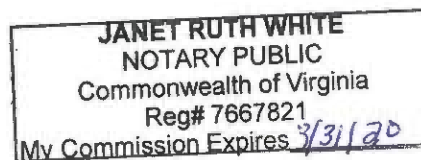
COUNTY OF TAZEWELL, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 8 day of Sept.,  
2016.

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

My commission expires: 3/31/20

1



CERTIFICATION OF NOTICE  
CNX Gas Company LLC

Unit BA110  
VGOB 02-0917-1072-03

**Disbursement**

Last Name	First Name	MAILED	RECEIPT #		RECEIVED
Gent, II	Fred B	8/8/2016	7016034000008989	2867	8/11/2016

**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:

Fred B. Gent II  
 18159 Lee Highway  
 Abingdon, VA 24210



2. Article Number (Transfer from series label)

7016 0340 0000 8989 2867

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 Ger 1/16

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

FBSGENT, DUW

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

BA110 Disb

**Exhibit J**  
**Unit BA110 Escrow Account Reconciliation**  
**VGOB 02-0917-1072**

CNX Deposit Information		
Check Date	Check Number	Total
1/25/2005	46547	\$9,921.34
2/25/2005	47818	\$330.69
3/24/2005	49018	\$379.57
4/25/2005	50339	\$328.52
5/25/2005	51574	\$421.81
6/24/2005	52646	\$257.65
7/25/2005	53801	\$422.60
8/25/2005	55160	\$399.50
9/23/2005	56485	\$434.45
10/25/2005	57769	\$494.69
11/25/2005	59056	\$621.85
12/23/2005	60959	\$700.79
1/25/2006	62090	\$534.70
2/24/2006	63611	\$629.55
3/24/2006	64972	\$742.95
4/25/2006	66287	\$525.62
5/25/2006	67635	\$487.82
6/23/2006	68987	\$546.08
7/25/2006	71194	\$474.71
8/25/2006		\$380.50
9/25/2006		\$406.46
10/25/2006		\$559.00
11/25/2006		\$459.87
12/25/2006		\$302.57
1/25/2007		\$352.51
1/31/2007		\$206.29
2/25/2007		\$674.99
3/25/2007		\$463.50
4/25/2007		\$487.76
5/25/2007		\$574.50
6/25/2007		\$597.53
7/25/2007		\$583.29
8/25/2007		\$518.51
9/25/2007		\$480.18
10/25/2007		\$7,516.71
11/25/2007		\$426.21
12/25/2007		\$468.71
1/25/2008		\$527.53
2/25/2008		\$588.62
3/25/2008		\$575.16
4/25/2008		\$535.67
5/25/2008		\$632.26
6/25/2008		\$596.33
7/25/2008		\$755.47
8/25/2008		\$829.18
9/25/2008		\$1,037.58
10/25/2008		\$648.05
11/25/2008		\$582.03
12/25/2008		\$522.52
1/25/2009		\$428.31

Escrow Bank Data															
Date	Escrow Royalty Deposits	Income	\$ Mktet Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance	Running Balance	Difference	
12/31/2004	\$1.78	\$0.00				\$0.00					\$0.00	\$1.78	\$0.00	-\$1.78	
1/31/2005	\$9,921.34	\$10.25				\$0.00					\$10.25	\$9,933.37	\$9,931.59	-\$1.78	
2/28/2005	\$330.69	\$12.03				\$0.00					\$12.03	\$10,276.09	\$10,274.31	-\$1.78	
3/31/2005	\$379.57	\$12.15				\$0.00					\$12.15	\$10,667.81	\$10,666.03	-\$1.78	
4/30/2005	\$328.52	\$16.49				\$0.00					\$16.49	\$11,012.82	\$11,011.04	-\$1.78	
5/31/2005	\$421.81	\$17.63				\$0.00					\$17.63	\$11,452.26	\$11,450.48	-\$1.78	
6/30/2005	\$257.65	\$19.76				\$0.00					\$19.76	\$11,729.67	\$11,727.89	-\$1.78	
7/31/2005	\$422.60	\$20.93				\$0.00					\$20.93	\$12,173.20	\$12,171.42	-\$1.78	
8/31/2005	\$399.50	\$24.35				\$0.00					\$24.35	\$12,597.05	\$12,595.27	-\$1.78	
9/30/2005	\$434.45	\$27.10				\$0.00					\$27.10	\$13,058.60	\$13,056.82	-\$1.78	
10/31/2005	\$494.69	\$29.00				\$0.00					\$29.00	\$13,582.29	\$13,580.51	-\$1.78	
11/30/2005	\$621.85	\$31.16				\$0.00					\$31.16	\$14,235.30	\$14,233.52	-\$1.78	
12/31/2005	\$700.79	\$33.69				\$0.00					\$33.69	\$14,969.78	\$14,968.00	-\$1.78	
1/31/2006	\$534.70	\$39.28				\$0.00					\$39.28	\$15,543.76	\$15,541.98	-\$1.78	
2/28/2006	\$629.55	\$42.01				\$0.00					\$42.01	\$16,215.32	\$16,213.54	-\$1.78	
3/31/2006	\$742.95	\$43.60				\$0.00					\$43.60	\$17,001.87	\$17,000.09	-\$1.78	
4/30/2006	\$525.62	\$54.31				\$0.00					\$54.31	\$17,581.80	\$17,580.02	-\$1.78	
5/31/2006	\$487.82	\$53.84				\$0.00					\$53.84	\$18,123.46	\$18,121.68	-\$1.78	
6/30/2006	\$546.08	\$58.02				\$0.00					\$58.02	\$18,727.56	\$18,725.78	-\$1.78	
7/31/2006	\$474.71	\$59.48				\$0.00					\$59.48	\$19,261.75	\$19,259.97	-\$1.78	
8/31/2006	\$0.00	\$64.79				\$0.00					\$64.79	\$19,326.54	\$19,705.26	\$378.72	
													\$20,111.72	\$20,111.72	
10/31/2006	\$559.00	\$76.24				\$0.00					\$76.24	\$20,819.37	\$20,746.96	-\$72.41	
11/30/2006	\$459.87	\$80.35			(\$1.41)	\$0.00					\$78.94	\$21,358.18	\$21,285.77	-\$72.41	
12/31/2006	\$302.57	\$83.05			(\$11.39)	\$0.00					\$71.66	\$21,732.41	\$21,660.00	-\$72.41	
1/31/2007	\$352.51	\$79.44				\$0.00					\$79.44	\$22,164.36	\$22,091.95	-\$72.41	
2/28/2007	\$0.00	\$77.64				\$0.00					\$77.64	\$22,242.00	\$22,375.88	\$133.88	
3/31/2007	\$881.28	\$73.82				\$0.00					\$73.82	\$23,197.10	\$23,124.69	-\$72.41	
													\$23,588.19	\$23,588.19	
4/30/2007	\$951.26	\$86.55				\$0.00					\$86.55	\$24,234.91	\$24,162.50	-\$72.41	
5/31/2007	\$574.50	\$82.66				\$0.00					\$82.66	\$24,892.07	\$24,819.66	-\$72.41	
6/30/2007	\$0.00	\$88.13				\$0.00					\$88.13	\$24,980.20	\$25,505.32	\$525.12	
7/31/2007	\$1,180.82	\$174.72				\$0.00					\$174.72	\$26,248.38	\$26,263.33	\$14.95	
8/31/2007	\$518.51	\$89.09				\$0.00					\$89.09	\$26,855.98	\$26,870.93	\$14.95	
9/30/2007	\$480.18	\$143.87				\$0.00					\$143.87	\$27,480.03	\$27,494.98	\$14.95	
10/31/2007	\$0.00	\$92.08				\$0.00					\$92.08	\$27,572.11	\$35,103.77	\$7,531.66	
11/30/2007	\$7,942.92	\$121.18				\$0.00					\$121.18	\$35,636.21	\$35,636.21	\$14.95	
12/31/2007	\$468.71	\$113.51				\$0.00					\$113.51	\$36,218.43	\$36,233.38	\$14.95	
1/31/2008	\$527.53	\$91.74				\$0.00					\$91.74	\$36,837.70	\$36,852.65	\$14.95	
2/29/2008	\$588.62	\$79.04				\$0.00					\$79.04	\$37,505.36	\$37,520.31	\$14.95	
3/31/2008	\$575.16	\$70.24				\$0.00					\$70.24	\$38,150.76	\$38,165.71	\$14.95	
4/30/2008	\$535.67	\$53.40				\$0.00					\$53.40	\$38,739.83	\$38,754.78	\$14.95	
5/31/2008	\$632.26	\$44.59				\$0.00					\$44.59	\$39,416.68	\$39,431.63	\$14.95	
6/30/2008	\$596.33	\$45.08				\$0.00					\$45.08	\$40,058.09	\$40,073.04	\$14.95	
7/31/2008	\$755.47	\$44.12				\$0.00					\$44.12	\$40,857.68	\$40,872.63	\$14.95	
8/31/2008	\$829.18	\$57.21				\$0.00					\$57.21	\$41,744.07	\$41,759.02	\$14.95	
9/30/2008	\$1,037.58	\$52.02				\$0.00					\$52.02	\$42,833.67	\$42,848.62	\$14.95	
10/31/2008	\$648.05	\$42.77				\$0.00					\$42.77	\$43,524.49	\$43,539.44	\$14.95	
11/30/2008	\$582.03	\$57.30				\$0.00					\$57.30	\$44,163.82	\$44,178.77	\$14.95	
12/31/2008	\$522.52	\$23.48				\$0.00					\$23.48	\$44,709.82	\$44,724.77	\$14.95	
1/25/2009	\$0.00	\$2.18				\$0.00						\$44,712.00	\$45,153.08	\$441.08	

**Exhibit J**  
**Unit BA110 Escrow Account Reconciliation**  
**VGOB 02-0917-1072**

CNX Deposit Information		
Check Date	Check Number	Total
2/25/2009		\$479.35
3/25/2009		\$423.36
4/25/2009		\$157.90
5/25/2009		\$67.08
6/25/2009		\$149.02
7/25/2009		\$109.76
8/25/2009		\$175.22
9/25/2009		\$212.72
10/25/2009		\$175.38
11/19/2009		\$126.72
12/18/2009		\$172.25
1/18/2010		\$205.82
2/22/2010		\$214.22
3/22/2010		\$316.97
4/20/2010		\$249.22
5/19/2010		\$247.42
6/21/2010		\$181.79
7/20/2010		\$218.75
8/20/2010	81164	\$155.38
9/22/2010	82592	\$184.03
10/19/2010	84513	\$183.70
11/19/2010	87405	\$121.19
12/20/2010	90258	\$129.25
1/20/2011	91447	\$107.33
2/24/2011	92988	\$165.73
3/21/2011	94581	\$165.27
4/20/2011	96378	\$149.95
5/19/2011	97878	\$134.19
6/21/2011	99659	\$205.47
7/19/2011	149	\$329.48
8/19/2011	1900	\$344.21
9/19/2011		\$366.74
10/13/2011		\$365.56
11/14/2011		\$295.98
12/15/2011		\$290.50
1/18/2012		\$261.58
2/20/2012		\$252.66
3/20/2012		\$212.85
4/20/2012		\$156.58
5/21/2012		\$138.26
6/20/2012		\$98.71
7/25/2012		\$95.53
8/23/2012	0214000751	\$29.34
9/24/2012	0214001802	\$71.50
10/22/2012	0214006364	\$85.37
11/20/2012	0214011924	\$52.55
12/19/2012	0214017170	\$94.64

Escrow Bank Data														Running Balance	Difference
Date	Escrow Royalty Deposits	Income	\$ Mktet Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance			
2/28/2009	\$907.66	(\$4.06)				\$0.00					(\$4.06)	\$45,615.60	\$45,628.37	\$12.77	
3/31/2009	\$423.36	\$11.21				\$0.00					\$11.21	\$46,050.17	\$46,062.94	\$12.77	
4/30/2009	\$157.90	(\$7.24)				\$0.00					(\$7.24)	\$46,200.83	\$46,213.60	\$12.77	
5/31/2009	\$67.08	(\$7.33)				\$0.00					(\$7.33)	\$46,260.58	\$46,273.35	\$12.77	
6/30/2009	\$149.02	(\$7.56)				\$0.00					(\$7.56)	\$46,402.04	\$46,414.81	\$12.77	
7/31/2009	\$109.76	(\$7.70)				\$0.00					(\$7.70)	\$46,504.10	\$46,516.87	\$12.77	
8/31/2009	\$175.22	(\$4.47)				\$0.00					(\$4.47)	\$46,674.85	\$46,687.62	\$12.77	
9/30/2009	\$212.72	(\$3.16)				\$0.00					(\$3.16)	\$46,884.41	\$46,897.18	\$12.77	
10/31/2009	\$175.38	(\$3.71)				\$0.00					(\$3.71)	\$47,056.08	\$47,068.85	\$12.77	
11/30/2009	\$126.72	(\$3.49)				\$0.00					(\$3.49)	\$47,179.31	\$47,192.08	\$12.77	
12/31/2009	\$172.25	(\$13.15)				\$0.00					(\$13.15)	\$47,338.41	\$47,351.18	\$12.77	
1/1/2010	\$205.82	\$8.80			\$0.00	\$0.00					\$8.80	\$47,538.85	\$47,565.80	\$26.95	
2/1/2010	\$214.22	\$9.14			(\$3.83)	\$0.00					\$5.31	\$47,758.38	\$47,785.33	\$26.95	
3/1/2010	\$316.97	\$10.15			(\$3.98)	\$0.00		\$0.00			\$6.17	\$48,081.52	\$48,108.47	\$26.95	
4/1/2010	\$249.22	\$10.55			(\$4.01)	\$0.00					\$6.54	\$48,337.28	\$48,364.23	\$26.95	
5/1/2010	\$247.42	\$9.62			(\$4.03)	\$0.00					\$5.59	\$48,590.29	\$48,617.24	\$26.95	
6/1/2010	\$181.79	\$9.98			(\$4.05)	\$0.00	(\$42.64)				(\$36.71)	\$48,735.37	\$48,762.32	\$26.95	
7/1/2010	\$218.75		\$10.06	\$1.39	(\$4.06)	\$0.00					\$7.39	\$48,961.51	\$48,988.46	\$26.95	
8/1/2010	\$155.38	\$8.63	\$3.38	(\$4.08)	\$0.00						\$7.93	\$49,174.67	\$49,151.77	-\$22.90	
9/1/2010	\$184.03	\$8.05	\$4.78	(\$4.10)	\$0.00						\$8.73	\$49,427.15	\$49,344.53	-\$82.62	
10/1/2010	\$183.70	\$7.51	\$6.89	(\$4.12)	\$0.00	(\$53.61)					(\$43.33)	\$49,627.98	\$49,484.90	-\$143.08	
11/1/2010	\$121.19	\$6.48	\$8.58	(\$4.14)	\$0.00						\$10.92	\$49,799.96	\$49,617.01	-\$182.95	
12/1/2010	\$129.25	\$5.07	\$12.71	(\$4.15)	\$0.00	(\$42.97)					(\$29.34)	\$49,944.63	\$49,716.92	-\$227.71	
1/31/2011	\$107.33	\$5.20	\$16.76	(\$4.62)	\$0.00	(\$3.59)					\$13.75	\$50,099.95	\$49,838.00	-\$261.95	
2/28/2011	\$165.73	\$3.47	\$17.07	(\$4.18)	\$0.00	(\$13.26)					\$3.10	\$50,320.73	\$50,006.83	-\$313.90	
3/31/2011	\$165.27	\$2.94	\$20.31	(\$4.19)	\$0.00	(\$17.60)					\$1.46	\$50,538.72	\$50,173.56	-\$365.16	
4/30/2011	\$149.95	\$2.23	\$20.59	(\$4.21)	\$0.00	(\$14.22)					\$4.39	\$50,740.17	\$50,327.90	-\$412.27	
5/31/2011	\$134.19	\$2.20	\$21.65	(\$4.23)	\$0.00	(\$10.01)					\$9.61	\$50,926.48	\$50,471.70	-\$454.78	
6/30/2011	\$205.47	\$2.04	\$21.07	(\$4.24)	\$0.00	(\$11.86)		\$0.06			\$7.07	\$51,206.25	\$50,684.24	-\$522.01	
7/31/2011	\$329.48	\$1.63	\$3.33	(\$4.27)	\$0.00	(\$7.56)					(\$6.87)	\$51,636.87	\$51,006.85	-\$630.02	
8/30/2011	\$344.21	\$0.53	\$4.05	(\$0.79)	\$0.00	(\$3.81)					(\$0.02)	\$52,092.87	\$51,351.04	-\$741.83	
9/30/2011	\$366.74	\$11.72	\$3.95	(\$4.34)	\$0.00	(\$10.32)					\$1.01	\$52,580.32	\$51,718.79	-\$861.53	
10/31/2011	\$365.56	\$12.03	\$9.02	(\$4.38)	\$0.00	(\$16.10)					\$0.57	\$53,067.32	\$52,084.92	-\$982.40	
11/30/2011	\$295.98	\$11.26	\$9.80	(\$4.42)	\$0.00	(\$13.63)					\$3.01	\$53,463.37	\$52,383.91	-\$1,079.46	
12/31/2011	\$290.50	\$11.13	\$10.36	(\$4.46)	\$0.00	(\$9.67)					\$7.36	\$53,858.18	\$52,681.77	-\$1,176.41	
1/31/2012	\$261.58	\$11.96	\$13.05	(\$4.49)	\$0.00	(\$18.16)					\$2.36	\$54,122.12	\$52,945.71	-\$1,176.41	
2/28/2012	\$252.66	\$9.05	\$12.27	(\$4.52)		(\$9.39)		(\$13,339.93)			\$7.41	\$41,042.26	\$39,865.85	-\$1,176.41	
3/31/2012	\$212.85	\$7.26	\$9.86	(\$3.42)		(\$5.76)					\$7.94	\$41,263.05	\$40,086.64	-\$1,176.41	
4/30/2012	\$156.58	\$1.24	\$23.28	(\$4.57)		(\$9.66)					\$10.29	\$41,429.92	\$40,253.51	-\$1,176.41	
5/31/2012	\$138.26	\$0.65	\$18.16	(\$3.45)		(\$3.96)					\$12.40	\$41,580.58	\$40,404.17	-\$1,176.41	
6/30/2012	\$98.71	\$0.58	\$18.06	(\$3.47)		(\$4.81)					\$10.36	\$41,689.65	\$40,513.24	-\$1,176.41	
7/31/2012		\$0.68	\$17.43	(\$3.48)		(\$3.06)					\$11.57	\$41,701.22	\$40,620.34	-\$1,080.88	
8/31/2012	\$124.87	\$0.88	\$7.21	(\$4.62)	(\$34,339.96)	(\$20.70)					(\$17.23)	\$7,468.90	\$6,292.49	-\$1,176.41	
9/24/2012		\$0.21	\$2.35	(\$0.62)		(\$0.74)		\$11.18			\$12.38	\$7,481.28	\$6,376.37	-\$1,104.91	
10/31/2012	\$156.87	\$0.21	\$2.37	(\$0.63)		(\$0.94)					\$1.01	\$7,639.16	\$6,462.75	-\$1,176.41	
11/30/2012	\$52.55	\$0.65	\$5.96	(\$1.79)		(\$2.12)					\$2.70	\$7,694.41	\$6,518.00	-\$1,176.41	
12/31/2012	\$94.64	\$0.47	\$3.84	(\$1.31)		(\$1.84)					\$1.16	\$7,790.21	\$6,613.80	-\$1,176.41	



**Exhibit J**  
**Unit BA110 Escrow Account Reconciliation**  
**VGOB 02-0917-1072**

CNX Deposit Information		
Check Date	Check Number	Total
<b>02 Disbursement</b>		<b>(\$1,998.51)</b>
<b>Interest and Fees</b>		<b>\$2,840.76</b>
<b>Total</b>		<b>\$5,657.12</b>
<b>May 2016 First Bank and Trust balance</b>		<b>\$6,725.00</b>
<b>Difference</b>		<b>(\$1,067.88)</b>

Escrow Bank Data													Running Balance	Difference
Date	Escrow Royalty Deposits	Income	\$ Mrket Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance		

**SUPPLEMENTAL AFFIDAVIT OF MAILING—COAL OWNER**

COMMONWEALTH OF VIRGINIA  
COUNTY OF **RUSSELL**

**Applicant: CNX Gas Company LLC**  
**Relief Sought: Disbursement/Dismissal for Unit BA110**  
**VGOB: 02-0917-1072-03**

I, Anita D. Duty, being first duly sworn on oath, depose and say:


1. I am the Pooling Supervisor for CNX Land LLC, and I am authorized to submit this Affidavit on behalf of the Applicant CNX Gas Company LLC.
2. I affirm that the coal owner(s) in this Unit was properly noticed under Va. Code Ann. 45.1-361-22:2 on **June 24, 2015**. See annexed Certificate of Notice and coal owner notice form letter example.
3. **Buckhorn Coal Company** should be dismissed as Respondent/coal claimant for failure to timely provide evidence of a relevant proceeding or agreement.



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

STATE OF VIRGINIA  
COUNTY OF TAZEWELL, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 5th day of August, 2016.



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

My commission expires: 12/31/2019



CERTIFICATION OF NOTICE  
CNX Gas Company LLC

Unit BA110 & BA1111  
VGOB 02-0917-1072-01 & 02-0416-1024-01  
Coal dismissal letter

Last Name	First Name	BA110	BA111	MAILED	RECEIPT #	RECEIVED
Buckhorn Coal Company(Coal Owner)		x	x	6/24/15	7014349000018926 5339	6/29/15



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**Features:**  
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 29, 2015, 9:19 am	Delivered	TAZEWELL, VA 24661

Your item was delivered at 9:19 am on June 29, 2015 in TAZEWELL, VA 24661.

June 27, 2015, 7:07 pm	Departed USPS Facility	CHARLESTON, WV 25350
June 26, 2015, 10:10 pm	Arrived at USPS Facility	CHARLESTON, WV 25350

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**CNX Gas Company LLC**

PO Box 570

Pounding Mill, VA 24637

Phone: (724) 485-3600

Date

«FNAME» «LNAME»

«Attention\_Line»

«Street\_Address»

«City»«State»«Zip»

**COAL OWNERS**

**RE:** Unit \_\_\_\_\_  
Miscellaneous Petition for Disbursement from Escrow

Dear Property Owner,

House Bill 2058 was signed by the Governor and became law effective July 1, 2015. This new law requires the Virginia Gas and Oil Board to disburse monies placed in escrow because of conflicting claims (between coal owners and oil and gas owners) to coalbed methane gas royalties to the oil and gas owners of the tracts in this Unit.

In general, under this new law escrowed funds are to be paid to oil and gas owners unless the coal owner(s) provides the operator CNX and the Division of Gas and Oil "with evidence of a proceeding" [as in a court case] "or an agreement." The new law gives coal owners/coal claimants **45 days** from the date you get this letter to provide that evidence.

Enclosed herewith please find a copy of the 45 day Notice of Filing. Please read the Notice carefully to be sure you understand that you have 45 days to provide evidence to the operator CNX Gas Company LLC at the address above **and** the Division of Gas and Oil at PO Draw 159, Lebanon, VA 24266

In order to help us keep our records current and to make sure you receive all correspondence and notices promptly, please notify us of any address change at the address above.

Sincerely,

Anita Duty  
Pooling Supervisor

Enclosure(s)