

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 92-1117-0285-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1 (2) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: December 19, 2017

DRILLING UNIT: U-13

BUCHANAN 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, attributable to Tract 1, as depicted upon the annexed table; (2) dismissal of surface owners in Tract 1, B.F. McGlothlin Heirs, Devisees, Successors or Assigns (individuals listed below).

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. COMMONWEALTH OF VIRGINIA: To the following persons who will receive a disbursement of escrowed funds if the relief sought by Applicant's Petition is granted by the Virginia Gas and Oil Board:

H-W Financial, LLC (previously Harrison-Wyatt, LLC)

COMMONWEALTH OF VIRGINIA: To the following persons identified as SURFACE OWNERS in the Pooling Order and Supplemental Order(s) pertaining to the referenced Docket No. who were previously pooled by Virginia Gas and Oil Board Order as potential claimants. YOU, AS A RESPONDENT AND YOUR CLAIMS, IF ANY, TO COALBED METHANE ROYALTIES for gas produced from this Unit ARE SUBJECT TO DISMISSAL BY BOARD ORDER AT THE HEARING NOTICED ABOVE:

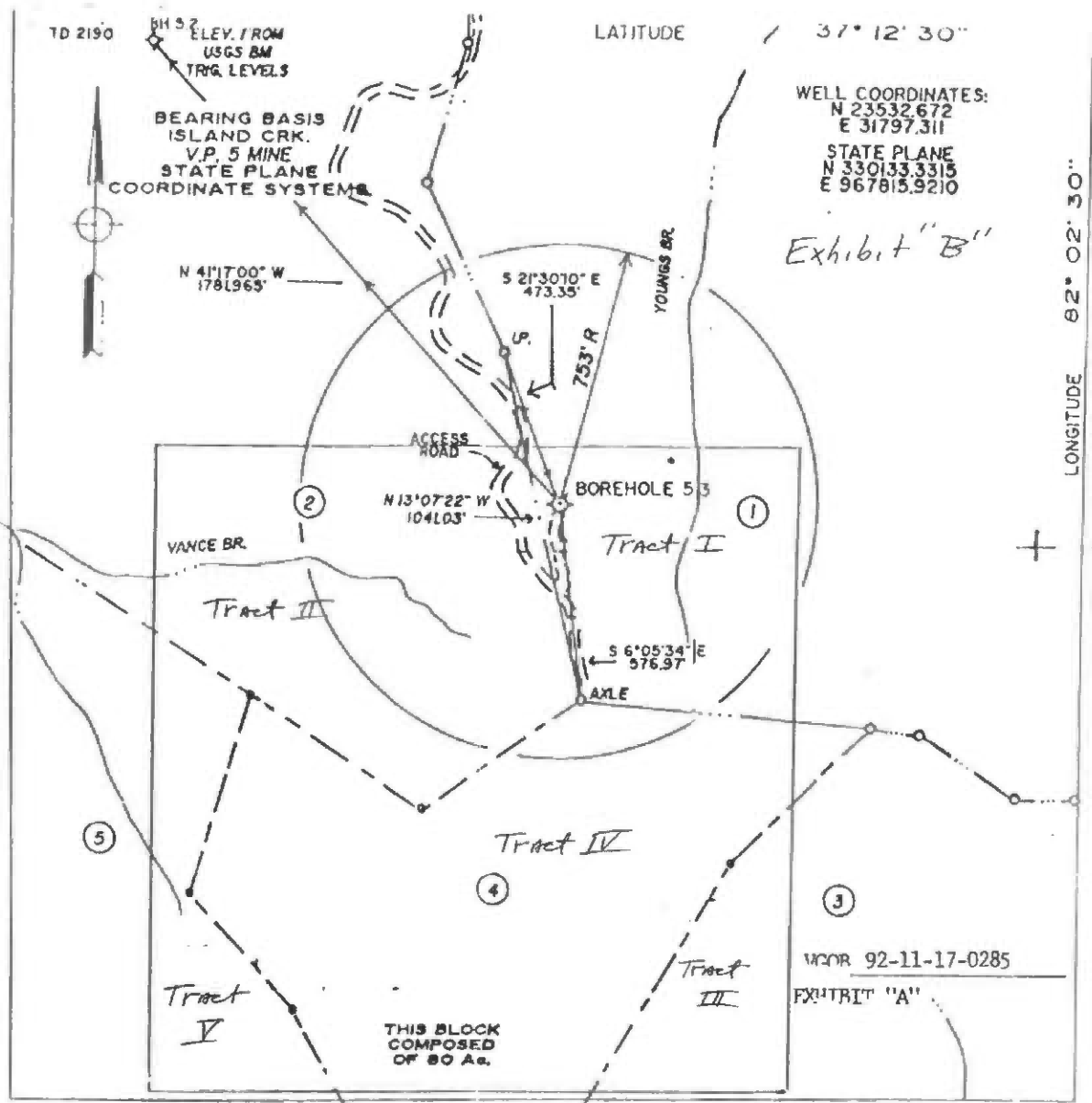
B.F. McGlothlin Heirs, Devisees, Successors or Assigns including Shauna McGlothlin, Jon McGlothlin, Logan McGlothlin, Bonnie McGlothlin, Ralph Edward McGlothlin, Jr., Patricia S. McGlothlin, Bascom "Buddy" Matney, Helen Carol Mamone, Ann C. Rauhauser, Joseph Blair McGlothlin, Katherine M. Warren, St. Jude's Children's Research Hospital, Children's Hospital of Richmond, Shirley Presley, Donald A. McGlothlin, Jr., Wayne Talbert Burton, Sr., Joseph John Laperla, Mary Louise Laperla, Leah Ann McGlothlin, Kevin Timothy McGlothlin, Kenna Dixon Moose, Michael McKinley Dixon, Peggy Durham, Shery W. Bennett, Pauline W. Shortridge, Floyd Edmond Wampler, Thomas D. McGlothlin, James W. McGlothlin, Michael G. McGlothlin, Doris Ann McGlothlin, Anne Borkey Fath, Sharon Borkey Parsons, Betty McGlothlin, Una Lee Mulligan Bailey, McGlothlin Living Trust, Darla Torres, Cecil McGlothlin, Jr., Norman McGlothlin, Ann Mullins Washburn, Michael M. Mullins, Charlene Dixon Seale, Patricia Wade, Virginia Peterson, Paula J. Morrow, W.A. Street Heirs Trust c/o H.A. Street

NOTICE IS HEREBY GIVEN that Applicant is requesting that the Virginia Gas and Oil Board (hereinafter Board) issue an order as follows:

- (1) Directing the Board's Escrow Agent to make the disbursements to the persons identified in Table 1 hereto using the percentages stated therein;
- (2) Directing Applicant to pay the persons identified in Table 1 hereto and to discontinue escrow of their royalty payments;
- (3) Dismissing the Respondent surface owners named above.

6. Attestation

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



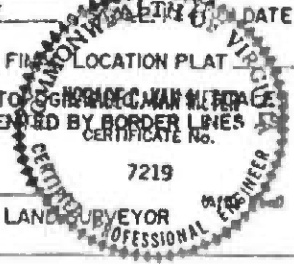
WELL LOCATION PLAT

COMPANY OXY USA Inc. WELL NAME and No. U-13
 TRACT No. BIG AXE TR. 6 ELEVATION 2483.09 QUADRANGLE VANSANT
 COUNTY BUCHANAN DISTRICT HURRICANE DATE 6-26-92

THIS PLAT IS A NEW PLAT X; AN UPDATED PLAT _____; OR A FINAL LOCATION PLAT _____

+ DENOTES THE LOCATION OF A WELL ON UNITED STATES TO GOVERNMENT SURFACE TO 24,000, LATITUDE AND LONGITUDE LINES BEING REPRESENTED BY BORDER LINES AS SHOWN.

H.C. Van Meter



FORM DGO-60-7
 REV. 9/91

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

LAND CREEK COAL COMPANY

Well Plat Legend
Property and Lease Information
BOREHOLE 5.3

1. Surface B. F. McGlothlin Heirs
Coal, Oil & Gas Wayles R. Harrison Jr. & Landon R.
..... Wyatt, Jr., Trustees
..... Big Axe Tract 8
Oil & Gas Lessee Buchanan Production Company
Coal Lessee Island Creek Coal Company
..... Jewell Smokeless Coal Company
..... Koch Raven
Coalbed Methane Lessee Buchanan Production Company

1 = 15.66% - 12.53 Acres

2. Coal Wayles R. Harrison Jr. & Landon R.
..... Wyatt, Jr., Trustees
..... Big Axe Tract 1
Oil & Gas Garden Realty Corporation
Oil & Gas Lessee Pocahontas Gas Partnership
Coal Lessee Island Creek Coal Company
..... Jewell Smokeless Coal Company
..... Koch Raven
Coalbed Methane Lessee Buchanan Production Company

2 = 27.78% - 22.22 Acres

3. Coal, Oil & Gas Wayles R. Harrison Jr. & Landon R.
..... Wyatt, Jr., Trustees
..... Big Axe Tract 7
Oil & Gas Lessee Buchanan Production Company
Coal Lessee Island Creek Coal Company
..... Jewell Smokeless Coal Company
..... Koch Raven
Coalbed Methane Lessee Buchanan Production Company

3 = 7.62% - 6.10 Acres

4. Coal, Oil & Gas W. Clyde Dennis, Et Al. Tract
Oil and Gas Lessees Columbia Natural Resources
..... Pocahontas Gas Partnership
Coal Lessee Island Creek Coal Company
..... Jewell Smokeless Coal Company
..... Koch Raven
Coalbed Methane Lessee Buchanan Production Company

4 = 39.07% - 31.25 Acres

5. Coal, Oil & Gas W. Clyde Dennis, Et Al. Tract
Oil and Gas Lessees Columbia Natural Resources
..... Pocahontas Gas Partnership
Coal Lessee Island Creek Coal Company
..... Jewell Smokeless Coal Company
..... Koch Raven
Coalbed Methane Lessee Buchanan Production Company

5 = 9.87% - 7.90 Acres

Exhibit E
UNIT U-13
Docket # VGOB 92-1117-0285-02
List of Owners/Claimants that require escrow

Acres in Unit Percent
of Unit

Escrowing no longer required

Exhibit EE
Unit U-13
VGOB 92-1117-0285-02
List of all Owners/Claimants with Royalty Division Agreements/Court Order/HB2058
80.00 Acres

	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #1 - 12.53 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) H-W Financial, LLC <i>Oxy Tr 33 / Big Axe Tr 8 (272.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	12.53 acres	15.6625%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) H-W Financial, LLC <i>Oxy Tr 33 / Big Axe Tr 8 (272.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	12.53 acres	15.6625%	100.00% HB2058
<u>Tract #2 - 22.22 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) H-W Financial, LLC <i>Oxy Tr 41 / Big Axe Tr 1 (274.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	22.22 acres	27.7750%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation c/o Margaret Burns 108 Bexley Road Mooresville, NC 28117	22.22 acres	27.7750%	<i>n/a</i>

Exhibit J
Unit U13 Escrow Account Reconciliation
VGOB 92-1117-0285

CNX Deposit Information		
Check Date	Check Number	Total
9/25/2002	19797	\$44.46
11/25/2002	20756	\$35.93
12/24/2002	21957	\$18.70
2/25/2003	23387	\$43.30
3/25/2003	24135	\$31.21
4/25/2003	24994	\$28.30
5/23/2003	25865	\$29.97
7/25/2003	27290	\$44.23
9/25/2003	28899	\$45.49
11/25/2003	30693	\$44.07
12/24/2003	31517	\$19.19
2/25/2004	33869	\$47.11
3/25/2004	34739	\$34.33
4/23/2004	35670	\$27.75
5/25/2004	36770	\$29.51
7/23/2004	38674	\$50.66
8/25/2004	39811	\$26.03
10/25/2004	42049	\$49.16
12/24/2004	44163	\$45.66
2/25/2005	46846	\$47.35
3/24/2005	48154	\$25.49
5/25/2005	50644	\$45.68
7/25/2005	52840	\$36.91
9/23/2005	55497	\$38.89
11/25/2005	58007	\$47.00
12/23/2005	59255	\$31.24
1/25/2006	61158	\$28.61
2/24/2006	62458	\$45.30
3/24/2006	63833	\$36.88

Escrow Bank Data														
Date	Escrow Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Royalty Bonus	Total Int. and Fees	Bank Balance	Runniug Balance	Difference
9/30/2002	\$44.46	\$27.85				\$0.00					\$27.85	\$53,104.39	\$52,962.11	\$142.28
10/31/2002	\$0.00	\$23.57				\$0.00					\$23.57	\$53,127.96	\$52,985.68	\$142.28
11/30/2002	\$35.93	\$26.08				\$0.00					\$26.08	\$53,189.97	\$53,047.69	\$142.28
12/31/2002	\$18.70	\$24.60				\$0.00					\$24.60	\$53,233.27	\$53,090.99	\$142.28
1/31/2003	\$0.00	\$12.08				\$0.00					\$12.08	\$53,245.35	\$53,103.07	\$142.28
2/28/2003	\$43.30	\$11.07				\$0.00					\$11.07	\$53,299.72	\$53,157.44	\$142.28
3/31/2003	\$31.21	\$5.54				\$0.00					\$5.54	\$53,336.47	\$53,194.19	\$142.28
4/30/2003	\$28.30	\$9.07				\$0.00					\$9.07	\$53,373.84	\$53,231.56	\$142.28
5/31/2003	\$29.97	\$6.29				\$0.00					\$6.29	\$53,410.10	\$53,267.82	\$142.28
6/30/2003	\$0.00	\$8.65				\$0.00					\$8.65	\$53,418.75	\$53,276.47	\$142.28
7/31/2003	\$44.23	\$5.28				\$0.00					\$5.28	\$53,468.26	\$53,325.98	\$142.28
8/31/2003	\$0.00	\$2.19				\$0.00					\$2.19	\$53,470.45	\$53,328.17	\$142.28
9/30/2003	\$45.49	\$1.92				\$0.00					\$1.92	\$53,517.86	\$53,375.58	\$142.28
10/31/2003	\$0.00	\$2.94				\$0.00					\$2.94	\$53,520.80	\$53,378.52	\$142.28
11/30/2003	\$44.07	\$4.55				\$0.00					\$4.55	\$53,569.42	\$53,427.14	\$142.28
12/31/2003	\$19.19	\$2.94				\$0.00					\$2.94	\$53,591.55	\$53,449.27	\$142.28
1/31/2004	\$0.00	\$5.51				\$0.00					\$5.51	\$53,597.06	\$53,454.78	\$142.28
2/28/2004	\$47.11	\$3.96				\$0.00					\$3.96	\$53,648.13	\$53,505.85	\$142.28
3/31/2004	\$34.33	\$2.41				\$0.00					\$2.41	\$53,684.87	\$53,542.59	\$142.28
4/30/2004	\$27.75	\$6.44				\$0.00					\$6.44	\$53,719.06	\$53,576.78	\$142.28
5/31/2004	\$29.51	\$6.33				\$0.00					\$6.33	\$53,754.90	\$53,612.62	\$142.28
6/30/2004	\$0.00	\$8.60				\$0.00					\$8.60	\$53,763.50	\$53,621.22	\$142.28
7/31/2004	\$50.66	\$11.13				\$0.00					\$11.13	\$53,825.29	\$53,683.01	\$142.28
8/31/2004	\$26.03	\$22.88				\$0.00					\$22.88	\$53,874.20	\$53,731.92	\$142.28
9/30/2004	\$0.00	\$27.20				\$0.00					\$27.20	\$53,901.40	\$53,759.12	\$142.28
10/31/2004	\$49.16	\$32.20				\$0.00					\$32.20	\$53,982.76	\$53,840.48	\$142.28
11/30/2004	\$0.00	\$42.10				\$0.00					\$42.10	\$54,024.86	\$53,882.58	\$142.28
12/31/2004	\$45.66	\$41.70				\$0.00					\$41.70	\$54,112.22	\$53,969.94	\$142.28
1/31/2005	\$0.00	\$55.89				\$0.00					\$55.89	\$54,168.11	\$54,025.83	\$142.28
2/28/2005	\$47.35	\$63.59				\$0.00					\$63.59	\$54,279.05	\$54,136.77	\$142.28
3/31/2005	\$25.49	\$61.96				\$0.00					\$61.96	\$54,366.50	\$54,224.22	\$142.28
4/30/2005	\$0.00	\$81.54				\$0.00					\$81.54	\$54,448.04	\$54,305.76	\$142.28
5/31/2005	\$45.68	\$87.17				\$0.00					\$87.17	\$54,580.89	\$54,438.61	\$142.28
6/30/2005	\$0.00	\$94.20				\$0.00					\$94.20	\$54,675.09	\$54,532.81	\$142.28
7/31/2005	\$36.91	\$94.26				\$0.00					\$94.26	\$54,806.26	\$54,663.98	\$142.28
8/31/2005	\$0.00	\$106.15				\$0.00					\$106.15	\$54,912.41	\$54,770.13	\$142.28
9/30/2005	\$38.89	\$114.29				\$0.00					\$114.29	\$55,065.59	\$54,923.31	\$142.28
10/31/2005	\$0.00	\$117.84				\$0.00					\$117.84	\$55,183.43	\$55,041.15	\$142.28
11/30/2005	\$47.00	\$121.17				\$0.00					\$121.17	\$55,351.60	\$55,209.32	\$142.28
12/31/2005	\$31.24	\$131.01				\$0.00					\$131.01	\$55,513.85	\$55,371.57	\$142.28
1/31/2006	\$28.61	\$145.66				\$0.00					\$145.66	\$55,688.12	\$55,545.84	\$142.28
2/28/2006	\$45.30	\$144.79				\$0.00					\$144.79	\$55,878.21	\$55,735.93	\$142.28
3/31/2006	\$36.88	\$150.25				\$0.00					\$150.25	\$56,065.34	\$55,923.06	\$142.28
4/30/2006	\$0.00	\$173.74				\$0.00					\$173.74	\$56,239.08	\$56,096.80	\$142.28
5/31/2006	\$0.00	\$167.59				\$0.00					\$167.59	\$56,406.67	\$56,264.39	\$142.28
6/30/2006	\$0.00	\$175.31				\$0.00					\$175.31	\$56,581.98	\$56,439.70	\$142.28
7/31/2006	\$0.00	\$175.29				\$0.00					\$175.29	\$56,757.27	\$56,614.99	\$142.28
8/31/2006	\$0.00	\$190.93				\$0.00					\$190.93	\$56,948.20	\$56,805.92	\$142.28
9/30/2006	\$0.00					\$0.00					\$0.00		\$56,805.92	-\$56,805.92
10/31/2006	\$0.00	\$215.48				\$0.00					\$215.48	\$57,363.68	\$57,021.40	\$342.28
11/30/2006	\$0.00	\$221.07				(\$3.88)					\$217.19	\$57,580.87	\$57,238.59	\$342.28
12/31/2006	\$0.00	\$223.38				(\$30.64)					\$192.74	\$57,773.61	\$57,431.33	\$342.28
1/31/2007	\$0.00	\$211.18				\$0.00					\$211.18	\$57,984.79	\$57,642.51	\$342.28
2/28/2007	\$0.00	\$203.13				\$0.00					\$203.13	\$58,187.92	\$57,845.64	\$342.28
3/31/2007	\$0.00	\$187.83				\$0.00					\$187.83	\$58,375.75	\$58,033.47	\$342.28
4/30/2007	\$0.00	\$216.94				\$0.00					\$216.94	\$58,592.69	\$58,250.41	\$342.28

