COMMONWEALTH OF VIRGINIA VIRGINIA GAS AND OIL BOARD HEARING MINUTES OCTOBER 20, 2015

Pursuant to Sections 45.1-361.9B and 45.1361.22.B of the Code of Virginia, the Virginia Gas and Oil Board held its scheduled monthly hearing commencing at 9 a.m. on Tuesday, October 20, 2015 at the Russell County Government Conference Center, 139 Highland Drive, Lebanon, Virginia.

Board members present were Bradley C. Lambert (Chairman), Bill Harris (Public Representative), Donald Lewis Ratliff (Coal Industry Representative), Donnie W. Rife (Public Representative) and Mary Addington Quillen (Public Representative).

Also present were Paul Kugelman, Jr. (Senior Assistant Attorney General), Rick Cooper (Principal Executive to the Board), Sally Ketron (Division of Gas and Oil) and Sarah Gilmer (Division of Gas and Oil).

- 1. The Board will receive public comments.
 - Ms. Juanita Sneeujagt spoke regarding two requests that she has of the Virginia Gas & Oil Board (on behalf of the Royalty Owners of Southwest, Virginia): 1. Vote to disallow gas companies to take post production charges from the Gas Royalty Owner's 12.5 percent; 2. Deny permits to Range Resources to drill additional wells (increased density) in the units in the Nora field.
- 2. The First Bank and Trust Company, Escrow Agent, for the Virginia Gas and Oil Board, will appear to address the Board on the Quarterly Report.
 - The quarterly report was presented to the Board for the months of July 2015 through September 2015.
- 3. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 3, 4, & 5, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to T.G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, Pamela Poulos, and Range Resources Pine Mountain, Inc. Unit YYY33. Docket Number VGOB 11-0920-2988-01.
 - The docket item was approved. Account will continue. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.
- 4. A petition from CNX Gas Company, LLC, for (1) reimbursement of funds incorrectly deposited in Unit L43 to CNX Gas Company, LLC. (2) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tract 2, as depicted upon the annexed table; and (3) authorization to begin paying royalties directly to the parties per House Bill 2058; Pocahontas Land Corporation and to Buchanan County Virginia, successor in title. Unit L43. Docket Number VGOB 99-1019-0752-01.
 - The docket item was approved. Account will close. Authorization for direct payment of royalties.

5. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tract 3, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Coal Mountain Mining Co. and New Garden Coal Corporation. Unit FF28. Docket Number VGOB 01-0320-0879-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties.

6. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 2, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; T.G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos. Unit B31. Docket Number VGOB 01-0320-0880-02.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

7. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tracts 1B, 1F, 1G, 1H, 1I, 1M, 2A, 2B, 2C, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Gent Enterprises, LLP, Lucy Mae Blankenship, Sylvia J. Dye, James C. & Patsy R. Coleman, and James P. Blankenship. Unit AY108. Docket Number VGOB 01-0821-0914-02.

The docket item was approved. Account will close. Authorization for direct payment of royalties.

8. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2B, 2D, 2H, 2I, 2P, 2Q, as depicted upon the annexed table; (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; CNX Gas Company LLC, Jerry Thomas Absher, Travis Benton Absher, Joel Lewis Absher, Coy Allen Absher, Charles Wayne Absher, Larry Gale Absher, Karen Lynn Johnson, Lois Yuvon Osborn, Linda Absher, Janet B. Walker, Tammy Voleeda Absher; authorization to begin paying royalties directly to the parties to the royalty agreement between Coal Mountain Mining Co. & David L. Cordill, Robert E. Cordill authorization to begin paying royalties directly to the parties to the House Bill 2058; Knox Creek Coal Corporation, Paul Chaney, FD Robertson. Unit EE38. Docket Number VGOB 02-0521-1029-05.

The docket item was approved. Account will continue. Authorization for direct payment of royalties. Checks for Jerry Thomas Absher, Travis Benton Absher, Joel Lewis Absher, Coy Allen Absher, Charles Wayne Absher, Larry Gale Absher, Karen Lynn Johnson, Lois Yuvon Osborn, Linda Absher, Janet B. Walker and Tammy Voleeda Absher, are to be made payable to the landowners in care of Terrance Shea Cook, and mailed to T. Shea Cook, P. C.

9. A petition from CNX Gas Company, LLC, for 1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tracts 1B & 1D, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Harrison-Wyatt LLC, Herman Lee & Evia Christine Hess, & Mable Jean Street. Unit FF15. Docket Number VGOB 05-1018-1511-02.

The docket item was approved. Account will close. Authorization for direct payment of royalties.

10. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, 3 & 4, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos. Unit ZZZ33. Docket Number VGOB 11-1220-3013-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

11. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2 & 3, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos. Unit B33. Docket Number VGOB 12-0417-3049-02.

The docket item was approved. Account will continue. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

12. A petition from CNX Gas Company, LLC, for (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, 2, 5, 6, & 7, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos, and Pamela Poulos. Unit A33. Docket Number VGOB 13-0618-4014-01.

The docket item was approved. Account will continue. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

13. A petition from ARP Mountaineer Production, LLC, requesting the Virginia Gas and Oil Board to enter an order, transferring the right to operate all units listed in this application that were established by Board Order, from GeoMet Operating Company, Inc., to ARP Mountaineer Production, LLC. Docket Number VGOB 15-1020-4073-01.

The docket item was approved.

14. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-45. Docket Number VGOB 06-1114-1790-01.

15. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit A-41. Docket Number VGOB 06-1114-1794-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

16. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit D-33. Docket Number VGOB 06-1114-1803-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

17. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, 3 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit TTT-36. Docket Number VGOB 06-1219-1848-01. Continued from September 2015.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

18. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, 2 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit SSS-35. Docket Number VGOB 07-0918-2008-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

19. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit TTT-35. Docket Number VGOB 07-0918-2009-01.

20. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, and 2, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit RRR-36. Docket Number VGOB 07-1016-2066-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

21. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1 and 2, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit QQQ-36. Docket Number VGOB 07-1113-2080-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

22. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2 and 5, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit A-37. Docket Number VGOB 09-0217-2468-01.

The docket item was approved. Account will continue. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

23. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit ZZZ-41. Docket Number VGOB 09-0616-2530-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

24. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-36. Docket Number VGOB 09-0616-2532-01.

25. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 3, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit E-33. Docket Number VGOB 09-1020-2601-01. Continued from September 2015.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

26. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1 and 2, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-43. Docket Number VGOB 09-1020-2602-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

27. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit D-43. Docket Number VGOB 09-1020-2603-01. Continued from September 2015.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

28. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit D-44. Docket Number VGOB 09-1020-2604-01.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

29. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 1, 2, 3 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit A-42. Docket Number VGOB 09-1020-2609-01. Continued from September 2015.

30. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 3 and 4, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-34. Docket Number VGOB 09-1020-2775-01. Continued from September 2015.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

31. A petition from ARP Mountaineer Production, LLC, for the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 2, as depicted upon the annexed table; and, (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiffs; Talmage G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-34. Docket Number VGOB 06-1114-2776-01. Continued from September 2015.

The docket item was approved. Account will close. Authorization for direct payment of royalties. Checks for Pamela Poulos, Talmage G. Rogers, III, Jason G. Poulos, Gregory G. Poulos, Kevin Rogers, Shaun D. Rogers and Derek Rogers are to be made payable to the landowners in care of Don Barrett, P. A., and mailed to Don Barrett, P. A.

32. The Board will receive an update of Board and Division activities from the staff.

Mr. Rick Cooper, Director of the Division of Gas and Oil, reported to the Board the disbursement amounts that have been disbursed since July 2015.

33. The Board reviewed the September 2015 minutes for approval.

The docket item was approved.

The hearing adjourned at 11:32 a.m.