

COMMONWEALTH OF VIRGINIA  
VIRGINIA GAS AND OIL BOARD HEARING  
MINUTES SEPTEMBER 15, 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, September 15, 2015 at the Russell County Government Conference Center, 139 Highland Drive, Lebanon, Virginia.

Board members present were Bruce A. Prather (Oil and Gas Industry Representative), Donnie W. Rife (Public Representative), Mary Addington Quillen (Public Representative) and Rita Surratt (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.

There were no public comments.

2. 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 2C, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Harrison-Wyatt LLC, Betty Johnson McClanahan, Helen Johnson Faulkner, Blanche Johnson Dale, Agnes Johnson Bartee, Douglas W. Johnson, Phyllis Johnson Durland, Kathryn Johnson Webb, Lorene Coleman Lester, Peter Jacobson, John Dorsie Arms, Ruby Pauline Arms Jenkins, Ella Mae Compton Deel, Lottie Jean Mullins. Unit BB8. Docket Number VGOB 90-1010-0033-08.

The docket item was approved. The account continues. Authorization for direct payment of royalties.

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 Tract 2, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiff Carson D. Austin. Unit BE-101. Docket Number VGOB 02-0618-1032-01.

The docket item was approved. The account continues. Authorization for direct payment of royalties.

4. A petition from CNX Gas Company, LLC, for (1) Reimbursement of funds incorrectly deposited in unit BA100, to CNX Gas Company, LLC. (2) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to of Tract 1E, as depicted upon the annexed table; and (3) authorization to begin paying royalties directly to the parties per House Bill 2058; Shirley J. Hess (aka Shirley H. Hess). Unit BA100. Docket Number VGOB 03-0916-1189-03.

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 Tract 1B, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to the parties to the prevailing plaintiff Carson D. Austin. Unit BG-98. Docket Number VGOB 06-0919-1714-01.

The docket item was approved. The account continues. 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 1, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Harrison-Wyatt LLC, Helen Johnson Faulkner, Blanche Johnson Dale, Agnes Johnson Barteo, Douglas W. Johnson, Phyllis Johnson Durland, Lorene Coleman Lester, Peter Jacobson, John Dorsie Arms, Ruby Pauline Arms Jenkins, Ella Mae Compton Deel, Lottie Jean Mullins. Unit BB9. Docket Number VGOB 08-0520-2223-01.

The docket item was approved. The account continues. Authorization for direct payment of royalties.

7. A petition from CNX Gas Company, LLC, for (1) Reimbursement of funds incorrectly deposited with the Board's Escrow Agent, attributable to Unit AY109, to CNX Gas Company, LLC. Docket Number VGOB 11-0517-2941-01.

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

8. A petition from CNX Gas Company, LLC, for Pooling and Dismissal of coal claimants as conflicting for Unit K1. Docket Number VGOB 15-0915-4074.

The docket item was approved. No escrowing required.

9. A petition from ARP Mountaineer Production, LLC, (ATLAS), 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, (ATLAS). Docket Number VGOB 15-0818-4073. Continued from August 2015.

The docket item was approved.

10. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-46. Docket Number VGOB 04-1214-1376-01.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-47. Docket Number VGOB 04-1214-1377-01.

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.

12. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-45. Docket Number VGOB 04-1214-1378-01.

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.

13. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-44. Docket Number VGOB 04-1214-1379-01.

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.

14. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-44. Docket Number VGOB 04-1214-1380-01.

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.

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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-43. Docket Number VGOB 05-0621-1473-01.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit SSS-36. Docket Number VGOB 06-1219-1846-01.

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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit TTT-36. Docket Number VGOB 06-1219-1848-01.

The docket item was continued to October, 2015.

18. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit ZZZ-39. Docket Number VGOB 09-0616-2528-01.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-35. Docket Number VGOB 09-0616-2533-01.

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.

20. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit ZZZ-40. Docket Number VGOB 09-0721-2549-01.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit E-33. Docket Number VGOB 09-1020-2601-01.

The docket item was continued to October, 2015.

22. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit D-43. Docket Number VGOB 09-1020-2603-01.

The docket item was continued to October, 2015.

23. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit A-42. Docket Number VGOB 09-1020-2609-01.

The docket item was continued to October, 2015.

24. 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit D-35. Docket Number VGOB 10-0615-2748-01.

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.

25. 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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit A-36. Docket Number VGOB 10-0720-2770-01.

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.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-35. Docket Number VGOB 10-0720-2771-01.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit B-34. Docket Number VGOB 09-1020-2775-01.

The docket item was continued to October, 2015.

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 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, Kevin Rogers, Shaun Rogers, Gregory Poulos, Jason Poulos and Pamela Poulos. Unit C-34. Docket Number VGOB 06-1114-2776-01.

The docket item was continued to October, 2015.

29. A petition from Range Resources-Pine Mountain, Inc., to disburse funds from the escrow account for Unit VC-3047, to all known owners in Tracts 2 and 5. Docket Number VGOB 99-0420-0719-03.

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

30. A petition from Range Resources-Pine Mountain, Inc. (formerly brought before the Board by EQT Production Company), for the disbursement of funds and authorization for direct payment on behalf of the known owners on Tract 3 in Well VC-505241. Docket Number VGOB 04-0817-1325-04. Continued from June 2014.

The docket item was approved. The account continues. Authorization for direct payment of royalties.

31. A petition from Range Resources-Pine Mountain, Inc., to disburse funds from the escrow account for Unit V-530345, to all known owners in Tract 6. Docket Number VGOB 13-0820-4019-01.

The docket item was approved. The account continues. Authorization for direct payment of royalties.

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

Mr. Cooper updated the Board on the status of the coal dismissal petitions.

33. The Board will review the August 2015 minutes for approval.

The docket item was approved.

The hearing adjourned at 11:45 a.m.