

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER

VGOB 93-0420-0361-04

ELECTIONS: UNIT O-40 (*Wells 605 & O40A*)

(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 18, 2014 which was recorded at Document 140002055 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 12, 2014, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit O-40;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Escrow Agent or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

150000316

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

150000316

DONE AND EXECUTED this 20 day of February, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

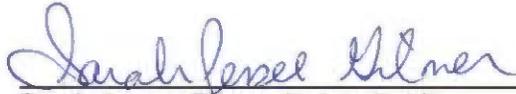
DONE AND PERFORMED this 20 day of February, 2015 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 20<sup>th</sup> day of February, 2015, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



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Sarah Jessee Gilmer, Notary Public  
262946

My Commission expires: July 31, 2017



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit O-40  
VGOB 93-0420-0361-04 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on November 18, 2014, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on December 12, 2014;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

*None*

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of November 18, 2014;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

*None*

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 12<sup>th</sup> day of February, 2015.

Anita D. Duty  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

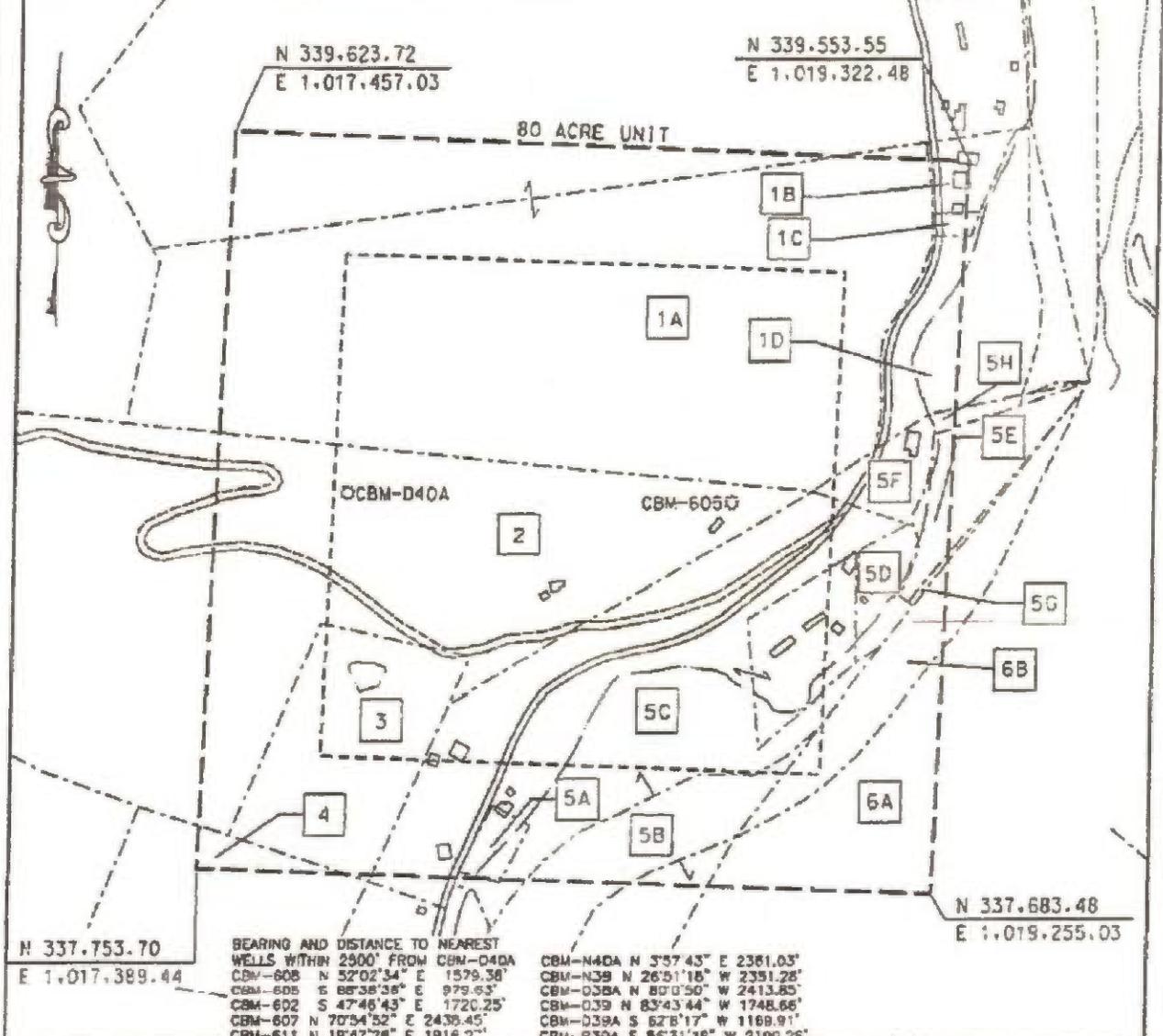
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 12<sup>th</sup> day of February, 2015.

Melissa Cumbow  
Notary

My commission expires: April 9, 2023



Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



○ CBM WELL  
⊙ PROPOSED CBM WELL

*Stephen E. Maxfield*

Digitally signed by Stephen E. Maxfield  
DN: cn=US, o=idenTrust ACES Business Representative, ou=D, R. PRICE ENGINEERING AND LAND SURVEYING INC PC, cn=Stephen E Maxfield, O=2942.79200300.100.L1-A01 0900000013B4DEE1AF8000057 FD  
Date: 2014.10.16 10:22:57 -0400'

EXHIBIT A  
OAKWOOD FIELD  
UNIT 040  
FORCE POOLING  
VG08-93-0420-0361-04

Company CNX Gas Company LLC Well Name and Number UNIT 040  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Jewell Ridge  
 County BUCHANAN District Garden Scale: 1" = 400' Date \_\_\_\_\_  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-60-7 \_\_\_\_\_ (Affix Seal)  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

## CNX Gas Company LLC

## UNIT O 40

## Tract Identifications

- 1A. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 Consol Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal Above Jawbone (1/2)  
 Ronald Clyborne – Coal Above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Leased (1/2)  
 CNX Gas Company LLC OR Cora Metcalf Franks Heirs (1/4), Ruth Culbertson Heirs (1/4) and CNX Gas Company LLC (1/2) – Gas  
 Consol Buchanan Mining Company LLC – Surface  
 31.49 Acres                      39.3625%
- 1B. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 Consol Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal Above Jawbone (1/2)  
 Ronald Clyborne – Coal Above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Leased (1/2)  
 Pamela B. Taylor, et al OR Cora Metcalf Franks Heirs (1/4), Ruth Culbertson Heirs (1/4) and CNX Gas Company LLC (1/2) – Gas  
 Pamela B. Taylor, et al – Surface  
 0.26 Acres                      0.3250%
- 1C. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 Consol Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal Above Jawbone (1/2)  
 Ronald Clyborne – Coal Above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Leased (1/2)  
 Evelyn M. Stillwell OR Cora Metcalf Franks Heirs (1/4), Ruth Culbertson Heirs (1/4) and CNX Gas Company LLC (1/2) – Gas  
 Evelyn M. Stillwell – Surface  
 0.10 Acres                      0.1250%
- 1D. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 Consol Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal Above Jawbone (1/2)  
 Ronald Clyborne – Coal Above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Leased (1/2)  
 Pamela B. Taylor, et al OR Cora Metcalf Franks Heirs (1/4), Ruth Culbertson Heirs (1/4) and CNX Gas Company LLC (1/2) – Gas  
 Pamela B. Taylor, et al – Surface  
 1.66 Acres                      2.0750%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

**CNX Gas Company LLC**  
**UNIT O 40**  
**Tract Identifications**

2. Franks Estate, Tract 7 (Arthur Cole – 48.50 Acre Tract) – All Minerals (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Seam (1/2)  
 Ronald Clyborne – Coal Above the Jawbone, Oil and Gas (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 Consol Buchanan Mining Company LLC – Coal Below Jawbone Leased (1/2)  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 Consol Buchanan Mining Company LLC - Surface  
 16.08 Acres                    20.1000%
3. Consol Buchanan Mining Company LLC (Joe Smith, et ux 5 Acre Tract) – Coal  
 CNX Gas Company LLC – Oil and Gas  
 Consol Buchanan Mining Company LLC – Surface  
 5.00 Acres                    6.2500%
4. Consol Buchanan Mining Company LLC (Dewey Cole 5 Acre Tract) – Coal  
 CNX Gas Company LLC – Oil and Gas  
 Consol Buchanan Mining Company LLC – Surface  
 0.53 Acres                    0.6625%
- 5A. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Consol Buchanan Mining Company LLC – Surface, Oil and Gas  
 0.44 Acres                    0.5500%
- 5B. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 CNX Gas Company LLC – Oil and Gas  
 Norfolk Southern Railway Company – Surface  
 2.19 Acres                    2.7375%
- 5C. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 CNX Gas Company LLC – Oil and Gas  
 Consol Buchanan Mining Company LLC – Surface  
 14.06 Acres                    17.5750%

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**CNX Gas Company LLC**  
**UNIT O 40**  
**Tract Identifications**

- 5D. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 CNX Gas Company LLC – Oil and Gas  
 Consol Buchanan Mining Company LLC - Surface  
 0.85 Acres                      1.0625%
- 5E. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Norfolk Southern Railway Company – Surface, Oil and Gas  
 CNX Gas Company LLC – CBM Leased  
 0.59 Acres                      0.7375%
- 5F. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Consol Buchanan Mining Company LLC, et al – Oil and Gas  
 Consol Buchanan Mining Company LLC – Surface  
 0.97 Acres                      1.2125%
- 5G. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 CNX Gas Company LLC – Oil and Gas  
 Norfolk Southern Railway Company – Surface  
 0.05 Acres                      0.0625%
- 5H. James M. McGuire Land Trust (460.57 Acre Tract) – Coal  
 Consol Buchanan Mining Company LLC – Below Drainage Coal Leased  
 Jewell Smokeless Coal Corporation – Raven Seam of Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Norfolk Southern Railway Company, et al – Surface, Oil and Gas  
 CNX Gas Company LLC – CBM Leased (88%)  
 0.06 Acres                      0.0750%

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**CNX Gas Company LLC**  
**UNIT O 40**  
**Tract Identifications**

- 6. P. J. Brown Heirs, et al (889 Acre Tract) – All Minerals  
Island Creek Coal Company – Coal Below Drainage Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
Dismal Processing, LLC – Lessee (Coal Refuse Only)  
CNX Gas Company LLC – Oil, Gas and CBM Leased (99.86775%)  
5.67 Acres                      7.0875%
- 6A. P. J. Brown Heirs – Surface Owner
- 6B. Norfolk Southern Railway Company – Surface Owner

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

	Net Acres In Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
<b>I. COAL OWNERSHIP</b>			
<b>Tract #6 - 5.67 acres</b>			
(1) P. J. Brown Heirs, et al. (889.00 Acre Tract)	5.67 acres	7.0875%	1.1535%
(f) James B. Brown Heirs, Devisees, Successors or Assigns (1/6)			
(f.5) Henry P. Brown Heirs, Devisees, Successors or Assigns			
(f.5.4) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)			
(f.5.4.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
<b>UNLEASED COAL</b>			
Acreage in Unit		0.01	
Percentage of Unit			0.0094%
<b>II. OIL &amp; GAS OWNERSHIP</b>			
<b>Tract #1D - 1.66 acres</b>			
(1) Pamela Brown Taylor, et al/Lena Day Short, etal (2.50 Acre Tract)	1.66 acres	2.0750%	0.3377%
(b) Warmie (Pete) Day Heirs, Devisees, Successors or Assigns <i>Affidavit requested from Lena Short &amp; Dewey Day - refused to sign RF</i>			
(b.1) Lena C. Day Short PO Box 125 Jolo, WV 24850	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.2) Jean Day Kennedy Heirs, Devisees, Successors or Assigns			
(b.1.2.1) Evelyn Estep 220 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.2) Rita Justice 104 Richardson Dr. Tazewell, VA 24651	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.3) Mary Poore 220 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.4) Missey Perry 232 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%

	Net Acres In Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
(b.1.4) Calvin Dennis Day 2393 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.5) Dewey Lee Day 2563 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.6) Delmas Ray Day 4268 Locust Mountain Trail Ashboro, NC 27205	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.7) Roy L. Day PO Box 157 War, WV 24892	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.8) Kylie Willis Day 2563 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.9) Estal W. Day Heirs, Devisees, Successors or Assigns <i>(Documentation pending on heirs below)</i>	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.9.1) Matthew Day 20 E. Potamac St. Williamsport, MD 21795			
(b.1.9.2) Eric Day <i>Address Unknown</i>			
(b.1.9.3) Britney Day <i>Address Unknown</i>			
<b><u>Tract #5E - 0.59 acres</u></b>			
(1) Norfolk Southern Railway Company	0.59 acres	0.7375%	0.1200%
<i>If no conflict, royalties are to be paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701			
<b><u>Tract #5H - 0.06 acres</u></b>			
(1) Norfolk Southern Railway Company	0.06 acres	0.0750%	0.0122%
<i>If no conflict, royalties are to be paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701			
<b><u>Tract #6 - 5.67 acres</u></b>			
(1) P. J. Brown Heirs, et al. <i>(889.00 Acre Tract)</i>	5.67 acres	7.0875%	1.1535%
(f.5) Henry P. Brown Heirs, Devisees, Successors or Assigns			
(f.5.4) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)			
(f.5.4.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%

Exhibit B-3  
 Unit O-40  
 Docket #VGOB-93-0420-0361-04  
 List of All Unleased Owners/Claimants

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	Net Acres in Unit	Interest in Unit	Division of interest in 1 East Panel 16.2753%
(f.5.4.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
(f.5.4.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.002 acres 1/3780 of 5.67 acres	0.0019%	0.0003%
<b><u>UNLEASED O&amp;G</u></b>			
Acreage in Unit		0.99	
Percentage of Unit			1.2318%

Exhibit E  
Unit O-40  
Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
<b><u>Tract #1B - 0.26 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Ruth Culbertson Heirs, Tr 7A (Mary A. Day 67.50 Acre Tract)	0.26 acres	0.3250%	0.0529%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns (1/4)			
(a.1) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.016 acres 1/16 of 0.26 acres	0.0203%	0.0033%
(a.2) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.016 acres 1/16 of 0.26 acres	0.0203%	0.0033%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.016 acres 1/16 of 0.26 acres	0.0203%	0.0033%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.016 acres 1/16 of 0.26 acres	0.0203%	0.0033%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641	0.065 acres 1/4 of 0.26 acres	0.0813%	0.0132%
(c) Consol Buchanan Mining Company LLC *** 2481 John Nash Blvd. Bluefield, WV 24701	0.130 acres 1/2 of 0.26 acres	0.1625%	0.0264%
*** Royalties are payable to: CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Pamela Brown Taylor, et al (1.50 Acre Tract)	0.26 acres	0.3250%	0.0529%
(a) Pamela Brown Taylor P.O. Box 306 Rosedale, VA	0.13 acres 1/2 of 0.26 acres	0.1625%	0.0264%
(b) Robin Viets 750 Buskill Ave. Richlands, VA 24641	0.07 acres 1/4 of 0.26 acres	0.0813%	0.0132%
(c) Myra Brown Poseno Mullins 301 Oakview Rd. Jewell Ridge, VA 24622	0.07 acres 1/4 of 0.26 acres	0.0813%	0.0132%

**Tract #1C - 0.10 acres****COAL OWNERSHIP**

(1) Ruth Culbertson Heirs, Tr 7A (Mary A. Day 67.50 Acre Tract)	0.10 acres	0.1250%	0.0203%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns (1/4)			

Exhibit E  
Unit O-40  
Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants that require escrow

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	Net Acres in Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
(a.1) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.006 acres 1/16 of 0.10 acres	0.0078%	0.0013%
(a.2) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.006 acres 1/16 of 0.10 acres	0.0078%	0.0013%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.006 acres 1/16 of 0.10 acres	0.0078%	0.0013%
(a.4) Nancy Elaine Culbertson Rattliff 175 Acre Lane Cedar Bluff, VA 24609	0.006 acres 1/16 of 0.10 acres	0.0078%	0.0013%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641	0.025 acres 1/4 of 0.10 acres	0.0313%	0.0051%
(c) Consol Buchanan Mining Company LLC *** 2481 John Nash Blvd. Bluefield, WV 24701	0.050 acres 1/2 of 0.10 acres	0.0625%	0.0102%

\*\*\* Royalties are payable to:  
CNX Gas Company, LLC  
1000 Consol Energy Drive  
Canonsburg, PA 15317

**OIL & GAS OWNERSHIP**

(1) Evelyn M. Stillwell P. O. Box 67 Whitewood, VA 24657	0.10 acres	0.1250%	0.0203%
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**Tract #1D - 1.66 acres**

**COAL OWNERSHIP**

(1) Ruth Culbertson Heirs, Tr 7A (Mary A. Day 67.50 Acre Tract)	1.66 acres	2.0750%	0.3377%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns (1/4)			
(a.1) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.104 acres 1/16 of 1.66 acres	0.1297%	0.0211%
(a.2) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.104 acres 1/16 of 1.66 acres	0.1297%	0.0211%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.104 acres 1/16 of 1.66 acres	0.1297%	0.0211%
(a.4) Nancy Elaine Culbertson Rattliff 175 Acre Lane Cedar Bluff, VA 24609	0.104 acres 1/16 of 1.66 acres	0.1297%	0.0211%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641	0.415 acres 1/4 of 1.66 acres	0.5188%	0.0844%

Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants that require escrow

	Net Acres In Unit	Interest In Unit	Division of Interest in 1 East Panel 16.2753%
(c) Consol Buchanan Mining Company LLC *** 2481 John Nash Blvd. Bluefield, WV 24701	0.830 acres 1/2 of 1.66 acres	1.0375%	0.1689%
*** Royalties are payable to: CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Pamela Brown Taylor, et al/Lena Day Short, etal (2.50 Acre Tract)	1.66 acres	2.0750%	0.3377%
(a) Beulah Day Brown Heirs, Deviseses, Successors or Assigns			
(a.1) Pamela Brown Taylor P.O. Box 306 Rosedale, VA 24280	0.55 acres 1/3 of 1.66 acres	0.6917%	0.1126%
(b.1) Erbie Verlin Brown Heirs, Deviseses, Successors or Assigns			
(b.1.1) Robin Viets Fields PO Box 32 Cedar Bluff, VA 24609	0.28 acres 1/6 of 1.66 acres	0.3458%	0.0563%
(b.1.2) Myra Brown Poseno Mullins 301 Oakview Rd. Jewell Ridge, VA 24622	0.28 acres 1/6 of 1.66 acres	0.3458%	0.0563%
(b) Warnie (Pete) Day Heirs, Deviseses, Successors or Assigns <i>Affidavit requested from Lena Short &amp; Dewey Day - refused to sign RF</i>			
(b.1) Lena C. Day Short PO Box 125 Jolo, WV 24850	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.1) June Day Cook 25 Lambert Subdivision Cleveland, VA 24225	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.2) Jean Day Kennedy Heirs, Deviseses, Successors or Assigns			
(b.1.2.1) Evelyn Estep 220 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.2) Rita Justice 104 Richardson Dr. Tazewell, VA 24651	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.3) Mary Poore 220 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.2.4) Missey Perry 232 Raysal Hollow Rd Raysal, WV 24879	0.01 acres 1/162 of 1.66 acres	0.0128%	0.0021%
(b.1.3) John Pete Day 4514 Rock River Rd. Rock, WV 24747	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%

Exhibit E  
Unit O-40  
Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants that require escrow

150000316

	Net Acres in Unit	Interest In Unit	Division of Interest in 1 East Panel 16.2753%
(b.1.4) Calvin Dennis Day 2393 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.5) Dewey Lee Day 2563 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.6) Delmas Ray Day 4268 Locust Mountain Trail Ashboro, NC 27205	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.7) Roy L. Day PO Box 157 War, WV 24892	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.8) Kylie Willis Day 2563 Pea Patch Rd. Jewell Ridge, VA 24622	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.9) Estal W. Day Heirs, Deviseses, Successors or Assigns <i>(Documentation pending on heirs below)</i>	0.04 acres 2/81 of 1.66 acres	0.0512%	0.0083%
(b.1.9.1) Matthew Day 20 E. Potamac St. Williamsport, MD 21795			
(b.1.9.2) Eric Day <i>Address Unknown</i>			
(b.1.9.3) Britney Day <i>Address Unknown</i>			

**Tract #3 - 5.00 acres**

**COAL OWNERSHIP**

(1) Consol Buchanan Mining Company LLC 10545 Riverside Drive Oakwood, Va 24631	5.00 acres	6.2500%	1.0172%
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**OIL & GAS OWNERSHIP**

(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	5.00 acres	6.2500%	1.0172%
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**Tract #4 - 0.53 acres**

**COAL OWNERSHIP**

(1) Consol Buchanan Mining Company LLC 10545 Riverside Drive Oakwood, Va 24631	0.53 acres	0.6625%	0.1078%
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**OIL & GAS OWNERSHIP**

(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.53 acres	0.6625%	0.1078%
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**Tract #5A - 0.44 acres**

**COAL OWNERSHIP**

(1) James McGuire Land Trust <i>(460.57 Acre Tract)</i> c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.44 acres	0.5500%	0.0895%
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Exhibit E  
Unit O-40  
Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants that require escrow

150000316

	Net Acres in Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Consol Buchanan Mining Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.44 acres	0.5500%	0.0895%
<b><u>Tract #5E- 0.59 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.59 acres	0.7375%	0.1200%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Norfolk Southern Railway Company	0.59 acres	0.7375%	0.1200%
<i>If no conflict, royalties are to be paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701			
<b><u>Tract #5F- 0.97 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.97 acres	1.2125%	0.1973%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Consol Buchanan Mining Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.97 acres	1.2125%	0.1973%
<b><u>Tract #5H- 0.06 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.06 acres	0.0750%	0.0122%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Norfolk Southern Railway Company	0.06 acres	0.0750%	0.0122%
<i>If no conflict, royalties are to be paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701			
<b>Acreage In Unit Percentage of Unit</b>		9.47 11.8332%	

Exhibit EE  
Unit O-40  
Docket #VGOB-93-0420-0361-04  
List of Conflicting Owners/Claimants with Royalty Split Agreements

150000316

	Net Acres in Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
<b>Tract #1A - 31.49 acres</b>			
<b>COAL OWNERSHIP</b>			
(1) Ruth Culbertson Heirs, Tr 7A (Mary A. Day 67.50 Acre Tract)	31.49 acres	39.3625%	6.4064%
(a) Ruth Culbertson Heirs, Deviseses, Successors or Assigns (1/4)			
(a.1) William A. Culbertson P.O. Box 185 Doran, VA 24612	1.968 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.2) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	1.968 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	1.968 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	1.968 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24641	7.873 acres 1/4 of 31.49 acres	9.8406%	1.6016%
(c) Consol Buchanan Mining Company LLC *** 2481 John Nash Blvd. Bluefield, WV 24701	15.745 acres 1/2 of 31.49 acres	19.6813%	3.2032%
*** Royalties are payable to: CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317			
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) CNX Gas Company LLC, et al	31.49 acres	39.3625%	6.4064%
(a) CNX Gas Company LLC 1000 Consol Energy Dr Canonsburg, PA 15317	15.745 acres 1/2 of 31.49 acres	19.6813%	3.2032%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24354	7.8725 acres 1/4 of 31.49 acres	9.8406%	1.6016%
(c) Ruth Culbertson Heirs, Deviseses, Successors or Assigns (1/4)			
(a.1) William A. Culbertson P.O. Box 185 Doran, VA 24612	1.968125 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.2) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	1.968125 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	1.968125 acres 1/16 of 31.49 acres	2.4602%	0.4004%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	1.968125 acres 1/16 of 31.49 acres	2.4602%	0.4004%

Exhibit EE  
 Unit O-40  
 Docket #VGOB-93-0420-0361-04  
 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Division of Interest in 1 East Panel 16.2753%
<b><u>Tract #5B- 2.19 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.19 acres	2.7375%	0.4455%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	2.19 acres	2.7375%	0.4455%
<b><u>Tract #5C- 14.06 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	14.06 acres	17.5750%	2.8604%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	14.06 acres	17.5750%	2.8604%
<b><u>Tract #5D- 0.85 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.85 acres	1.0625%	0.1729%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.85 acres	1.0625%	0.1729%
<b><u>Tract #5G- 0.05 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) James McGuire Land Trust (460.57 Acre Tract) c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.05 acres	0.0625%	0.0102%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company, LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.05 acres	0.0625%	0.0102%
	<b>Acreage in Unit</b>	48.64	
	<b>Percentage of Unit</b>	60.8000%	

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image updated

INSTRUMENT #150000316  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
MARCH 11, 2015 AT 11:27AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB