

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER **REVISÉD** – This Supplemental Order is being re-recorded to correct the Exhibit E.  
**VGOB 00-0418-0790-01**

ELECTIONS: **UNIT Q-48** (*Wells Q48, Q48A, Q48B*)  
 (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 **July 21, 2015** which was recorded at **Document 150001397** in the Office of the Clerk of the Circuit Court of **Buchanan County, Virginia, on August 26, 2015**, (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 Q-48**;

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.

160000768  
160000463

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.

160000463

DONE AND EXECUTED this 20 day of February, 2016 by a majority of the Virginia Gas and Oil Board.

160000768

*Bradley C. Lambert*

Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL



Acknowledged on this 20 day of February, 2016, 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, that he executed the same and was authorized to do so.

*Sally Settle Ketron*  
Sally Settle Ketron, Notary Public  
7623162

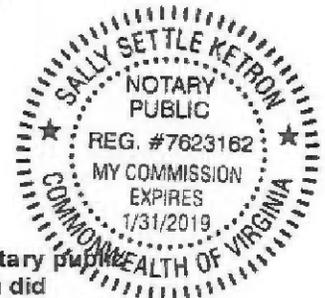
My Commission expires: January 31, 2019

DONE AND PERFORMED this 21 day of February, 2016 by Order of the Virginia Gas and Oil Board.

*Rick Cooper*

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL



Acknowledged on this 21 day of February, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared 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 he executed the same and was authorized to do so.

*Sally Settle Ketron*  
Sally Settle Ketron, Notary Public  
7623162

My Commission expires: January 31, 2019

VIRGINIA:

Exhibit A

160000768

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit Q-48  
VGOB 00-0418-0790-01 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 July 21, 2015, 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 August 26, 2015;

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 July 21, 2015;

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*

160000463

160000768

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:

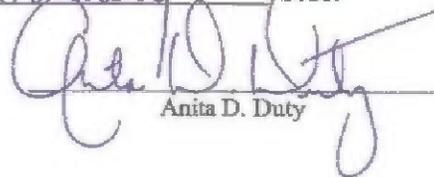
None

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.

None

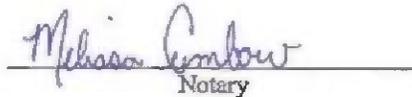
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Cedar Bluff, Virginia, this 29<sup>th</sup> day of January, 2016.

  
Anita D. Duty

STATE OF VIRGINIA  
COUNTY OF TAZEWELL

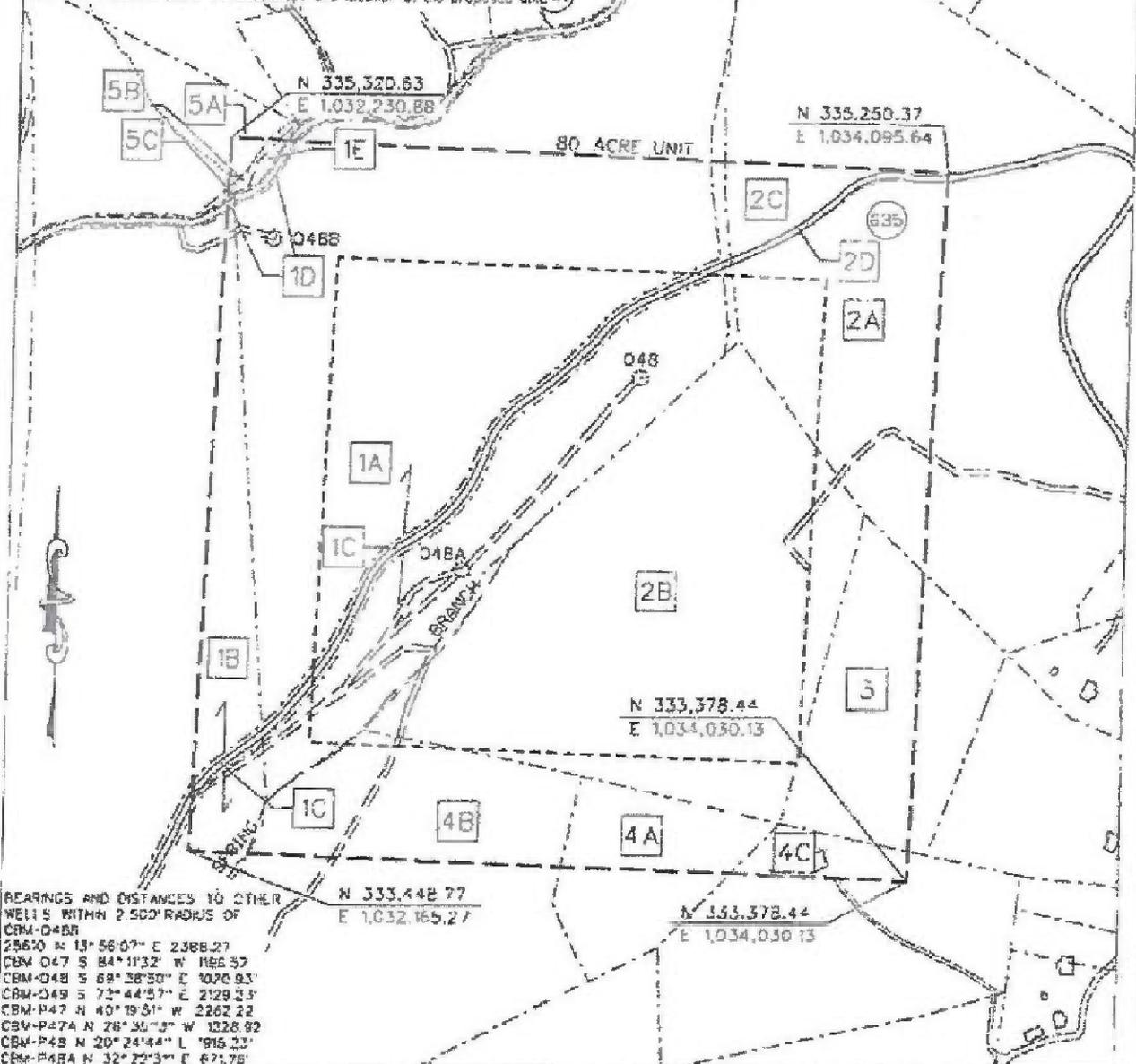
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 29<sup>th</sup> day of January, 2016.

  
Notary

My commission expires: 12/31/2019.



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



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-O48B  
CBM-O47 N 13° 56' 07" E 2388.27  
CBM-O48 S 84° 11' 32" W 186.57  
CBM-O48 S 68° 38' 50" E 1070.93  
CBM-O49 S 72° 44' 57" E 2129.33  
CBM-O47 N 40° 19' 51" W 2262.22  
CBM-P47A N 28° 36' 13" W 1328.92  
CBM-P48 N 20° 24' 44" E 1915.23  
CBM-P48A N 32° 22' 37" E 671.78

○ CBM WELL  
○ PROPOSED CBM WELL

Digitally signed by Stephen F. [Signature]  
DN: cn=Stephen F. [Signature], o=CNG Gas Company, LLC, ou=Engineering and Land Surveying, email=stephen.f.[Signature]@cng.com, c=US  
Date: 2015.01.15 15:44:17 -0500

EXHIBIT A  
OAKWOOD FIELD  
UNIT O48  
FORCE POOLING  
VG0B-00-0418-0790-01

Company CNG Gas Company, LLC Well Name and Number UNIT O48  
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 DGG-60-7 (Affix Seal)  
Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

160000463

**CNX Gas Company LLC**  
**UNIT Q48**  
**Tract Identifications**

160000768

1. G. W. St. Clair II, et al (94 Acre Tract) – All Minerals  
CONSOL Buchanan Mining Company LLC – Coal In and Below P-3 Seam Leased  
Jewell Ridge Coal Corporation – Jawbone Seam of Coal Leased  
CNX Gas Company LLC – CBM Leased  
36.96 acres 46.2000%
- 1A. CNX Gas Company LLC - Surface
- 1B. Unknown Surface Owner
- 1C. Commonwealth of Virginia - Surface
- 1D. Commonwealth of Virginia - Surface
- 1E. Commonwealth of Virginia - Surface
2. Hurt McGuire Land Trust, Tr. 320 (231 Acre Tract) – All Minerals  
CONSOL Buchanan Mining Company LLC – Below Drainage Coal Leased  
Massey Energy/Jewell Ridge Coal Corporation - Jawbone and Tiller Seams Leased  
CNX Gas Company LLC - CBM Leased  
29.84 acres 37.3000%
- 2A. CNX Gas Company LLC - Surface
- 2B. B. B. Cole Heirs - Surface
- 2C. Unknown Surface Owner
- 2D. Commonwealth of Virginia – Surface
3. Hurt McGuire Land Trust, Tr. 320 (231 Acre Tract) – Coal  
CONSOL Buchanan Mining Company LLC – Below Drainage Coal Leased  
Massey Energy/Jewell Ridge Coal Corporation - Jawbone and Tiller Seams Leased  
CNX Gas Company LLC - CBM Leased  
Lilly B. Osborne, et al (50%) / Hurt McGuire Land Trust (50%) – Oil and Gas  
CNX Gas Company LLC - CBM Leased (50%) (Hurt McGuire Land Trust interest)  
Lilly B. Osborne, et al – Surface  
4.60 acres 5.7500%
4. Hurt McGuire Land Trust, Tr. 320 (231 Acre Tract) – Coal  
CONSOL Buchanan Mining Company LLC – Below Drainage Coal Leased  
Massey Energy/Jewell Ridge Coal Corporation - Jawbone and Tiller Seams Leased  
CNX Gas Company LLC - CBM Leased  
James O. and Margaret McNeil Heirs (50%) / Hurt McGuire Land Trust (50%) – Oil and Gas  
CNX Gas Company LLC - CBM Leased (50%) (Hurt McGuire Land Trust interest)  
8.34 acres 10.4250%
- 4A. Unknown Surface Owner
- 4B. Unknown Surface Owner
- 4C. Unknown Surface Owner
5. James M. McGuire Trust (66.56 Acre Tract) – All Minerals  
CONSOL Buchanan Mining Company LLC – Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation -- Jewell/Raven Seam Leased  
CNX Gas Company LLC - CBM Leased  
0.26 acres 0.3250%
- 5A. CNX Gas Company LLC – Surface
- 5B. Commonwealth of Virginia - Surface

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

160000463

160000768

II. OIL & GAS OWNERSHIP

Tract #3 - 4.60 acres

	Net Acres in Unit	Interest in Unit
Lilly B. Osborne, et al	4.60 acres	5.7500%
(1) Edna Bell Horn Heirs, Devisees, Successors or Assigns		
(a) Lilly Bell Osborne Elswick 1158 Hogback Rd. Tazewell, VA 24651-9240	0.329 acres 1/14 of 2.30 acres	0.4107%
(b) Roy Rogers Horn 542 River Oaks Dr. Danville, VA 24540	0.329 acres 1/14 of 2.30 acres	0.4107%
(c) Shelby Jean Reynolds 136 Longacre Ln. Princeton, WV 24740	0.329 acres 1/14 of 2.30 acres	0.4107%
(d) Willie Mae Mutter 7673 Lee Highway Rural Retreat, VA 24388	0.329 acres 1/14 of 2.30 acres	0.4107%
(e) William Ray Horn 40 Sulfur Ln. Swords Creek, VA 24649	0.329 acres 1/14 of 2.30 acres	0.4107%
(f) Thelma Marie Underwood 2413 Harrys Branch Rd. Whitewood, VA 24657-9461	0.329 acres 1/14 of 2.30 acres	0.4107%
(g) Joseph Paul Horn 1290 Onyx Rd. Jewell Ridge, VA 24622	0.329 acres 1/14 of 2.30 acres	0.4107%

Tract #4 - 8.34 acres

(1) James O. and Margaret McNeil Heirs Devisees, Successors or Assigns <i>Heirs/Address Unknown</i>	4.17 acres 1/2 of 8.34 acres	5.2125%
---	---------------------------------	---------

TOTAL OIL & GAS ESTATE:

Acreege in Unk Unleased	6.47	
Percentage of Unit Unleased		8.0875%

Exhibit E  
Unit Q-48  
Docket #VGOB-00-0418-0790-01  
List of Owners/Claimants Requiring Escrow

160000768

887000031

	Net Acres in Unit	Interest in Unit
<b><u>Tract #3 - 4.60 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hurt-McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605 <i>(Tr. 320 - 231 Acre Tract)</i>	2.300 acres 1/2 of 4.60 acres	2.8750%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Lilly B. Osborne, et al	4.60 acres	5.7500%
(1) Edna Bell Horn Heirs, Devisees, Successors or Assigns		
(a) Lilly Bell Osborne Elswick 1158 Hogback Rd. Tazewell, VA 24651-9240	0.329 acres 1/14 of 4.60 acres	0.4107%
(b) Roy Rogers Horn 542 River Oaks Dr. Danville, VA 24540	0.329 acres 1/14 of 4.60 acres	0.4107%
(c) Shelby Jean Reynolds 136 Longacre Ln. Princeton, WV 24740	0.329 acres 1/14 of 4.60 acres	0.4107%
(d) Willie Mae Mutter 7673 Lee Highway Rural Retreat, VA 24368	0.329 acres 1/14 of 4.60 acres	0.4107%
(e) William Ray Horn 40 Sulfur Ln. Swords Creek, VA 24649	0.329 acres 1/14 of 4.60 acres	0.4107%
(f) Thelma Marie Underwood 2413 Harrys Branch Rd. Whitewood, VA 24657-9461	0.329 acres 1/14 of 4.60 acres	0.4107%
(g) Joseph Paul Horn 1290 Onyx Rd. Jewell Ridge, VA 24622	0.329 acres 1/14 of 4.60 acres	0.4107%
<b><u>Tract #4 - 8.34 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hurt-McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605 <i>(Tr. 320 - 231 Acre Tract)</i>	4.17 acres 1/2 of 8.34 acres	5.2125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) James O. and Margaret McNeil Heirs Devisees, Successors or Assigns <i>Heirs/Address Unknown</i>	4.17 acres 1/2 of 8.34 acres	5.2125%

160000768

INSTRUMENT #160000768  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
MAY 3, 2016 AT 04:35PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: SLP