

VIRGINIA:

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 02-0716-1041-01ELECTIONS: UNIT CC-36 (Wells CC36 & CC36A)  
(herein Subject Drilling Unit)REPORT OF BOARDFINDINGS 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 December 18, 2012, which was recorded at Document 140000425 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on March 20, 2014, and at Deed Book 2014, Page 4328 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on April 7, 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 CC-36;

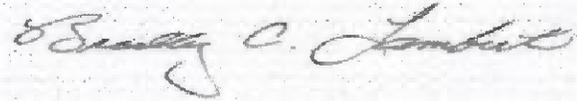
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis 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.

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.

DONE AND EXECUTED this 14 day of November, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

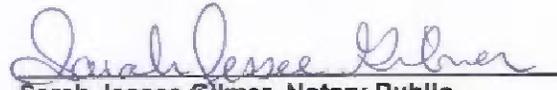
DONE AND PERFORMED this 14 day of November, 2014 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 14<sup>th</sup> day of November, 2014, 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.



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 CBM Unit CC-36  
VGOB 02-0716-1041-01 in the Garden/Maiden Springs District of Buchanan & Tazewell 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 **December 18, 2012**, 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 Abingdon, 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 **March 20<sup>th</sup> and April 7<sup>th</sup>, 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 **December 18, 2012**;

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 added and/or dismissed as respondents; the Operator requests that the following persons be added and/or dismissed as Respondents:

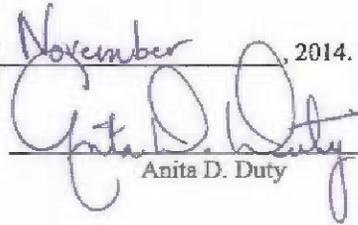
None

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

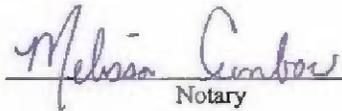
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 3<sup>rd</sup> day of November, 2014.

  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

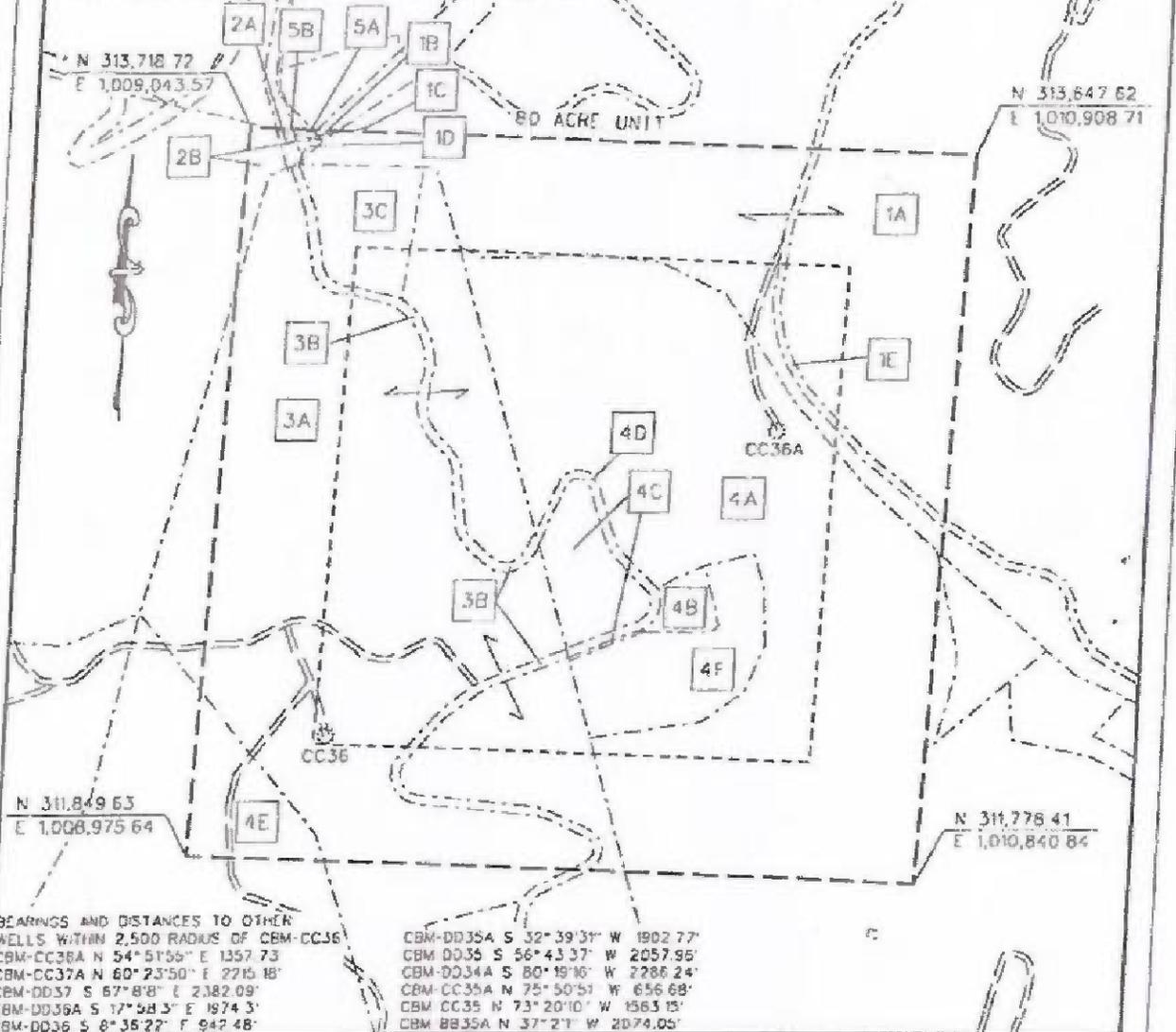
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC on behalf of the corporate Designated Operator, this 3<sup>rd</sup> day of November, 2014.

  
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.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-CC36

CBM-CC36A	N 54° 51' 56"	E 1357.73'
CBM-CC37A	N 60° 23' 50"	E 2715.18'
CBM-DD37	S 67° 8' 8"	E 2382.09'
CBM-DD36A	S 17° 58' 3"	E 1974.3'
CBM-DD36	S 8° 35' 22"	E 942.48'

CBM-DD35A	S 32° 39' 31"	W 1902.77'
CBM-DD35	S 56° 43' 37"	W 2057.96'
CBM-DD34A	S 80° 19' 16"	W 2286.24'
CBM-CC35A	N 75° 50' 51"	W 656.68'
CBM-CC35	N 73° 20' 10"	W 1563.15'
CBM-BB35A	N 37° 21"	W 2074.05'

- CBM WELL
- ⊙ PROPOSED CBM WELL

EXHIBIT A  
OAKWOOD FIELD  
UNIT CC36  
FORCE POOLING  
VG08-02-0716-1041-01

Company CNX Gas Company LLC Well Name or  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_  
County BUCHANAN/TAZEWELL District GARDEN/MAIDEN  
This plat is a new plat X ; an updated plat \_\_\_\_\_

Form DGO-60-7  
Rev. 5/91 \_\_\_\_\_ Licensed Professional Engineer or Lic



Digitally signed by James R Dills Jr.  
DN: cn=James R Dills Jr.,  
o=US, o=DST ACES  
Business \_\_\_\_\_  
I am Representative, ou=D R.  
PRICE ENGINEERING  
AND LAND SURVEYING  
INC PC  
Date: 2012.11.14  
15:09:00 -05'00'

**CNX Gas Company LLC**  
**UNIT CC36**  
 Tract Identifications

1. Commonwealth Coal Corporation (May & Painter 1497.62 Acre Tract) – All Minerals  
 Reserve Coal Properties Company – Below Drainage Coal Leased  
 Knox Creek Coal Corporation – Above Drainage Coal Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 (Map 84A, Parcel 122A)  
 16.32 acres                      20.4000%
- 1A. Commonwealth Coal Corporation – Surface  
 1B. Unknown Surface Owner  
 1C. Unknown Surface Owner  
 1D. Unknown Surface Owner  
 1E. Commonwealth of Virginia - Surface
2. Coal Mountain Mining Company Limited Partnership, LLP Tr. 34 (160.00 Acre Tract) – All Minerals  
 Reserve Coal Properties Company – Below Drainage Coal Leased  
 Knox Creek Coal Corporation – Above Drainage Coal Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 (Map SEC-156, Parcel 3)  
 0.57 acres                      0.7125%
- 2A. Commonwealth of Virginia - Surface  
 2B. CNX Gas Company LLC - Surface
- 3A. Coal Mountain Mining Company Limited Partnership, LLP Tr. 37 (40.00 Acre Tract) – Coal  
 Reserve Coal Properties Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 CNX Gas Company LLC – Surface, Oil and Gas  
 (Map 63A, Parcel 3)  
 27.61 acres                      34.5125%
- 3B. Coal Mountain Mining Company Limited Partnership, LLP Tr. 37 (40.00 Acre Tract) – Coal  
 Reserve Coal Properties Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Commonwealth of Virginia OR CNX Gas Company LLC – Surface, Oil and Gas  
 (Map 63A, Parcel 0)  
 1.38 acres                      1.7250%
- 3C. Coal Mountain Mining Company Limited Partnership, LLP Tr. 37 (40.00 Acre Tract) – Coal  
 Reserve Coal Properties Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Geraldine McGlothlin – Surface, Oil and Gas  
 (Map 63A, Parcel 3)  
 1.86 acres                      2.3250%

"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."

**CNX Gas Company LLC**  
**UNIT CC36**  
 Tract Identifications

4. Coal Mountain Mining Company Limited Partnership, LLP Tr. 38 (319.00 Acre Tract) – All Minerals  
 Reserve Coal Properties Company – Below Drainage Coal Leased  
 Knox Creek Coal Corporation – Above Drainage Coal Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 (Map 63A, Parcel 5)  
 32.24 acres                      40.3000%
- 4A. CNX Gas Company LLC - Surface  
 4B. Unknown Surface Owner  
 4C. Unknown Surface Owner  
 4D. Commonwealth of Virginia - Surface  
 4E. Harold D. McGlothlin - Surface  
 4F. Unknown Surface Owner
5. Coal Mountain Mining Company Limited Partnership, LLP Tr. 33 (122.00 Acre Tract) – All Minerals  
 Reserve Coal Properties Company – Below Drainage Coal Leased  
 Knox Creek Coal Corporation – Above Drainage Coal Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 (Map SEC-156, Parcel 8)  
 0.02 acres                      0.0250%
- 5A. Unknown Surface Owner  
 5B. Unknown 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 coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-3  
Unit CC-36  
VGOB Docket # 02-0716-1041-01  
List of All Unleased Owners/Claimants  
(80.00 Acre Unit)

140002060

	Net Acres in Unit	Interest In Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #3B - 1.38 acres</u></b>		
(1) Commonwealth of Virginia Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.38 acres	1.7250%
<b><u>Tract #3C - 1.86 acres</u></b>		
(1) Geraldine McGlothlin P.O. Box 987 Raven, VA 24639	1.86 acres	2.3250%
<b><u>TOTAL UNLEASED:</u></b>		
Acreage in Unit	3.24	
Percentage of Unit		4.0500%

Exhibit E  
 Unit CC-36  
 VGOB Docket # 02-0716-1041-01  
 List of Conflicting Owners/Claimants that Require Escrow  
 (80.00 Acre Unit)

BK 2014 PG 19193

140002060

	Net Acres in Unit	Interest in Unit
<b><u>Tract #3B - 1.38 acres</u></b>		
<b><u>Escrow due to Title Conflict</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company Limited Partnership <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.38 acres	1.7250%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.38 acres	1.7250%
<b>- OR -</b>		
(1) CNX Gas Company 1000 Consol Energy Drive Canonsburg, PA 15317	1.38 acres	1.7250%
<b><u>TOTAL CONFLICTS:</u></b>		
Acreage in Unit	1.38	
Percentage of Unit		1.7250%

BK 2014 PG 19194

140002060

Exhibit EE  
Unit CC-36  
VGOB Docket # 02-0716-1041-01  
List of Conflicting Owners/Claimants with Royalty Division Agreements  
(80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit
<b><u>Tract #3A - 27.61 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company Limited Partnership <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	27.61 acres	34.5125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	27.61 acres	34.5125%
<b><u>Tract #3C - 1.86 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company Limited Partnership <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.86 acres	2.3250%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Geraldine McGlothlin P.O. Box 987 Raven, VA 24639	1.86 acres	2.3250%
<b><u>TOTAL WITH ROYALTY AGREEMENTS:</u></b>		
Acreage in Unit	29.47	
Percentage of Unit		36.8375%

INSTRUMENT #140003783  
RECORDED IN THE CLERK'S OFFICE OF  
TAEWELL COUNTY ON  
DECEMBER 12, 2014 AT 10:15AM  
JAMES E. BLEVINS, CLERK  
RECORDED BY: ADR

INSTRUMENT #140003783  
RECORDED IN THE CLERK'S OFFICE OF  
TAEWELL COUNTY ON  
DECEMBER 12, 2014 AT 10:15AM  
James E. Blevins  
JAMES E. BLEVINS, CLERK  
RECORDED BY: ADR

129

*Perceived updated*

INSTRUMENT #140002060  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
DECEMBER 12, 2014 AT 12:18PM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB