

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 03-1118-1222-01

ELECTIONS: UNIT AW-123  
(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 August 26, 2011 which was recorded at Deed Book 739, Page 0227 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on September 13, 2011, (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 AW-123;

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 PO Box 3860 Kingsport, TN 37664, 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 2 day of April, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 2 day of April, 2012, by Order of the Board.

Rick Cooper  
Rick Cooper  
Principal Executive to the Staff of the Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 2<sup>nd</sup> day of April, 2012, 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 Chairman of the Virginia Gas and Oil Board, and 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 they executed the same and were authorized to do so.

Diane J. Davis  
Diane J. Davis, Notary  
174394

My commission expires: September 30, 2013



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 AW-123  
VGOB 03-1118-1222-01 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A 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 Consol Energy Inc., 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 August 26, 2011, 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 September 13, 2011;

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 August 26, 2011:

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:

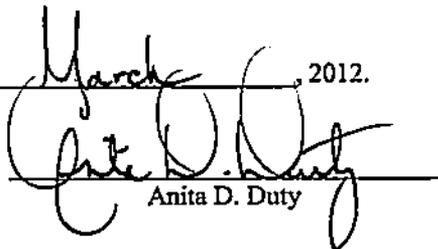
None

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:

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.

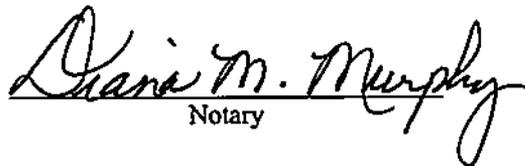
See attached Exhibit EE

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.

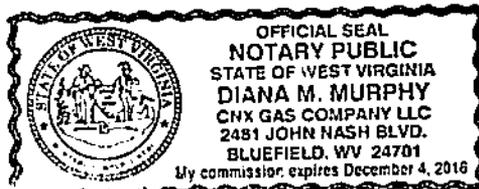
Dated at Bluefield, West Virginia, this 19th day of March, 2012.  
  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

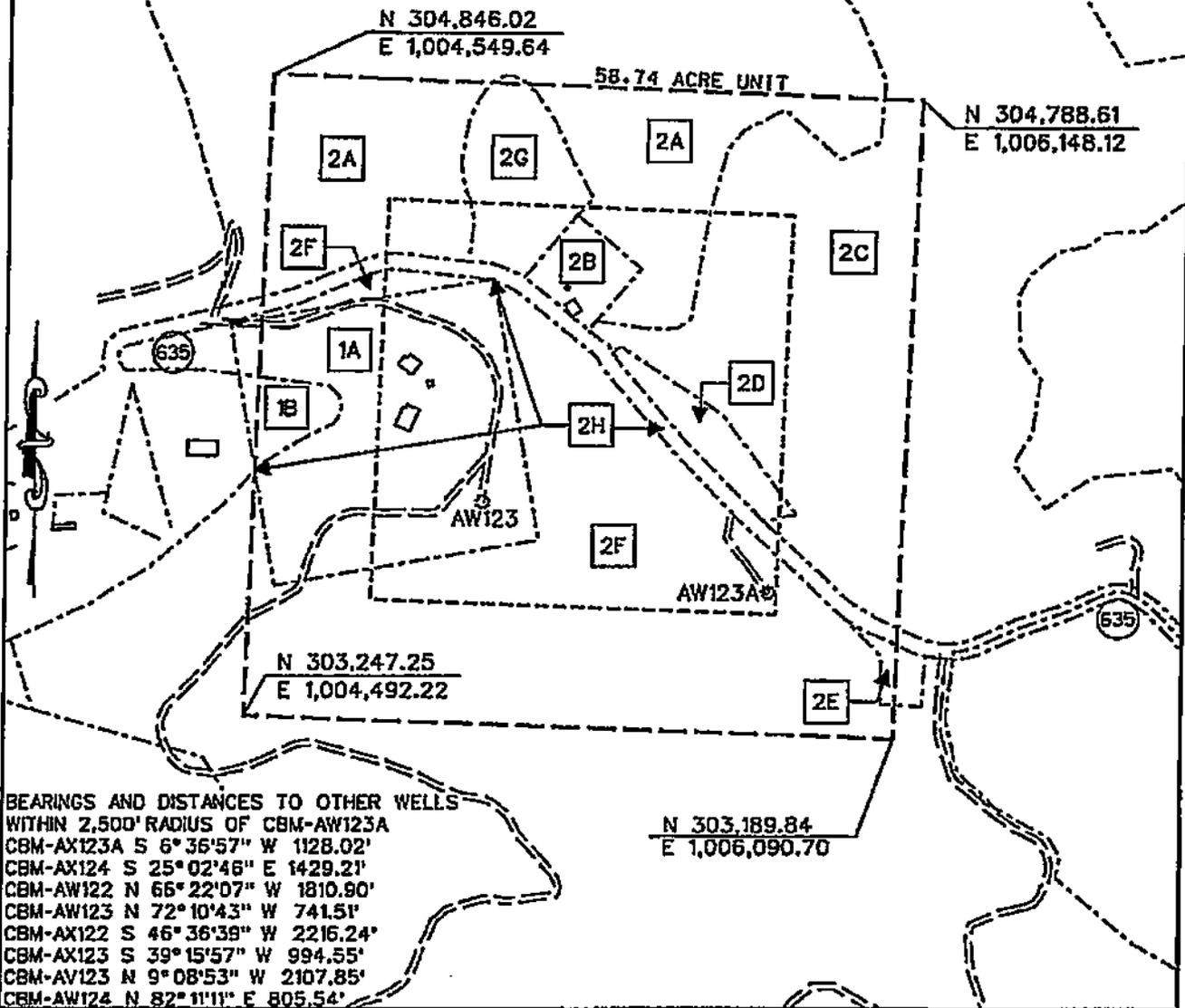
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources Inc, on behalf of the corporate Designated Operator, this 19th day of March, 2012.

  
Notary

My commission expires: December 4, 2016



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.



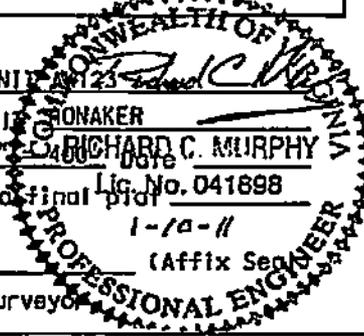
BEARINGS AND DISTANCES TO OTHER WELLS  
WITHIN 2,500' RADIUS OF CBM-AW123A

CBM-AX123A	S 6° 36' 57" W	1128.02'
CBM-AX124	S 25° 02' 46" E	1429.21'
CBM-AW122	N 66° 22' 07" W	1810.90'
CBM-AW123	N 72° 10' 43" W	741.51'
CBM-AX122	S 46° 36' 39" W	2216.24'
CBM-AX123	S 39° 15' 57" W	994.55'
CBM-AV123	N 9° 08' 53" W	2107.85'
CBM-AW124	N 82° 11' 11" E	805.54'

EXHIBIT A  
MIDDLERIDGE FIELD  
UNIT AW123  
FORCE POOLING  
VGOB-03-1118-1222-01

Company CNX Gas Company LLC Well Name and Number UNIT AW123  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle BONAKER  
 County RUSSELL District NEW GARDEN Scale: 1" = 400' Date 1-10-11  
 This plat is a new plat X; an updated plat \_\_\_\_\_; or original plat \_\_\_\_\_  
 Lic. No. 041698

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



**CNX GAS COMPANY LLC**

Unit AW-123  
 Tract Identifications  
 (58.74 Acre Unit)

- 1. Joann Richardson – All Minerals  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 9.68 acres 16.4794%**
- 1A. Joann Richardson – Surface**  
**1B. Unknown Surface Owner**
- 2A. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Company – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joann Richardson, et al – Oil and Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 Roy Meadows – Surface  
 10.42 acres 17.7392%**
- 2B. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Company – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Trustees of Mount Pleasant Free Pentecostal Holiness Church – Surface  
 and Oil and Gas  
 0.95 acres 1.6173%**
- 2C. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Company – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joann Richardson – Surface and Oil and Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 12.28 acres 20.9057%**
- 2D. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Company – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joann Richardson – Surface and Oil and Gas (Cemetery)  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 1.09 acres 1.8556%**
- 2E. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Company – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joann Richardson OR Russell County Board of Supervisors – Surface  
 and Oil and Gas**

*(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 AW-123

Tract Identifications

(58.74 Acre Unit)

**CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Jo Ann Richardson)**  
0.18 acres 0.3064%

- 2F. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal**  
**Reserve Coal Properties Company – Below Tiller Coal Leased**  
**Knox Creek Coal Company – Tiller and Above Coal Leased**  
**CNX Gas Company LLC – CBM Leased**  
**Joann Richardson – Surface and Oil and Gas**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
19.94 acres 33.9462%
- 2G. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal**  
**Reserve Coal Properties Company - Below Tiller Coal Leased**  
**Knox Creek Coal Company - Tiller and Above Coal Leased**  
**CNX Gas Company LLC – CBM Leased**  
**Joann Richardson – Oil and Gas**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**David Owens – Surface**  
2.41 acres 4.1029%
- 2H. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal**  
**Reserve Coal Properties Company – Below Tiller Coal Leased**  
**Knox Creek Coal Company – Tiller and Above Coal Leased**  
**CNX Gas Company LLC – CBM Leased**  
**Joann Richardson OR Commonwealth of Virginia – Surface, Oil and Gas**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Joann Richardson)**  
1.79 acres 3.0473%

*(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.)*

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Exhibit B-3  
Unit AW-123  
VGOB# 03-1118-1222-01  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

BOOK - 747 PAGE 0222

	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #2B, 0.95 acres</u></b>		
(1) Trustees of Mount Pleasant Free Pentecostal Holiness Church Address Unknown	0.95 acres	1.6173%
<b><u>Tract #2E, 0.18 acres</u></b>		
(1) Russell County Board of Supervisors P.O. Box 1208 Lebanon, VA 24268	0.18 acres	0.3064%
<b><u>Tract #2H, 1.79 acres</u></b>		
(1) Commonwealth of Virginia 870 Bonham Road Bristol, VA 24201-2002	1.79 acres	3.0473%

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Exhibit E  
 Unit AW-123  
 VGOB# 03-1118-1222  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

BOOK - 747 PAGE 0223

	Acres in Unit	Interest in Unit
<b><u>Tract #2B, 0.95 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	0.95 acres	1.6173%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Trustees of Mount Pleasant Free Pentecostal Holiness Church Address Unknown	0.95 acres	1.6173%
<b><u>Tract #2E, 0.18 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	0.18 acres	0.3064%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	0.18 acres	0.3064%
- OR -		
(1) Russell County Board of Supervisors P.O. Box 1208 Lebanon, VA 24266	0.18 acres	0.3064%
<b><u>Tract #2H, 1.79 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	1.79 acres	3.0473%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	1.79 acres	3.0473%
- OR -		
(1) Commonwealth of Virginia 870 Bonham Road Bristol, VA 24201-2002	1.79 acres	3.0473%

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Exhibit EE  
Unit AW-123  
VGOB# 03-1118-1222  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.74 Acre Unit)

BOOK - 747 PAGE 0224

	Acres in Unit	Interest in Unit
<u>Tract #2A, 10.42 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	10.42 acres	17.7392%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Joann Richardson, et al.	10.42 acres	17.7392%
(a) Dennis Eugene Richardson Heirs, Deviseses, Successors or Assigns		
(a.1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	5.21 acres 1/2 of 10.42 acres	8.8696%
(b) Shirley White Heirs, Deviseses, Successors or Assigns		
(b.1) Randall White Heirs, Deviseses, Successors or Assigns		
(b.1.1) Kimberly White 111 S. Monte Vista Drive Glade Springs, VA 24340	0.43 acres 1/24 of 10.42 acres	0.7391%
(b.1.2) Randall Wayne White, Jr. 547 Tanglewood Dr. Glade Springs, VA 24340	0.22 acres 1/48 of 10.42 acres	0.3696%
(b.1.3) Anne Elizabeth Byrd White 36 Locust St. Wading River, NY 11792 (Bad Address per returned mailing 2/2/2011)	0.22 acres 1/48 of 10.42 acres	0.3696%
(b.1.4) Laura Katherine White 111 S. Monte Vista Drive Glade Springs, VA 24340	0.22 acres 1/48 of 10.42 acres	0.3696%
(b.1.5) Jeremy Russell White 111 S. Monte Vista Drive Glade Springs, VA 24340	0.22 acres 1/48 of 10.42 acres	0.3696%
(b.2) Ulys C. White P.O. Box 131 Jewell Ridge, VA 24622	1.30 acres 1/8 of 10.42 acres	2.2174%
(b.3) Dewey N. White 810 Matney Road Cedar Bluff, VA 24609	1.30 acres 1/8 of 10.42 acres	2.2174%
(b.4) Kimberly Blankenship 578 Matney Road Cedar Bluff, VA 24609	1.30 acres 1/8 of 10.42 acres	2.2174%
<u>Tract #2C, 12.28 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	12.28 acres	20.9057%

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Exhibit EE  
 Unit AW-123  
 VGOB# 03-1118-1222  
 List of Conflicting Owners/Claimants with Royalty Split Agreements  
 (58.74 Acre Unit)

BOOK - 747 PAGE 0225

	Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	12.28 acres	20.9057%

Tract #2D, 1.09 acres

**COAL OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	1.09 acres	1.8556%
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**OIL & GAS OWNERSHIP**

(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	1.09 acres	1.8556%
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Tract #2F, 19.94 acres

**COAL OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	19.94 acres	33.9462%
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**OIL & GAS OWNERSHIP**

(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	19.94 acres	33.9462%
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Tract #2G, 2.41 acres

**COAL OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 (1286.81 Acre Tract) P.O. Box 187 Tazewell, VA 24651	2.41 acres	4.1029%
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**OIL & GAS OWNERSHIP**

(1) Joann Richardson 122 Kincora Dr. Bucyrus, OH 44820-8643	2.41 acres	4.1029%
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1200868

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 4-24 2012. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:29 o'clock P M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Sharon Hagy

BY: Shirley Kato D. CLERK