

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-1214-1365-02

ELECTIONS: UNIT AV-127 (*Wells AV127 & AV127A*)
(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 June 20, 2015, which was recorded at Deed Book 791, Page 94 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on July 2, 2015, and at Deed Book 2015, Page 9704 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on July 6, 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 AV-127;

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.

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 28 day of September, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 28 day of September, 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 28 day of September, 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.


Sally Settle Ketron, Notary Public
7623162

My Commission expires: January 31, 2019



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 AV-127
 VGOB 04-1214-1365-02 in the New Garden/Maiden Springs District of Russell & 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 June 20, 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 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 July 2nd and July 6th;

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 June 20, 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

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 2nd day of September, 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 2nd day of September, 2015.

Melissa Cumbow
Notary

My commission expires: April 9, 2023.

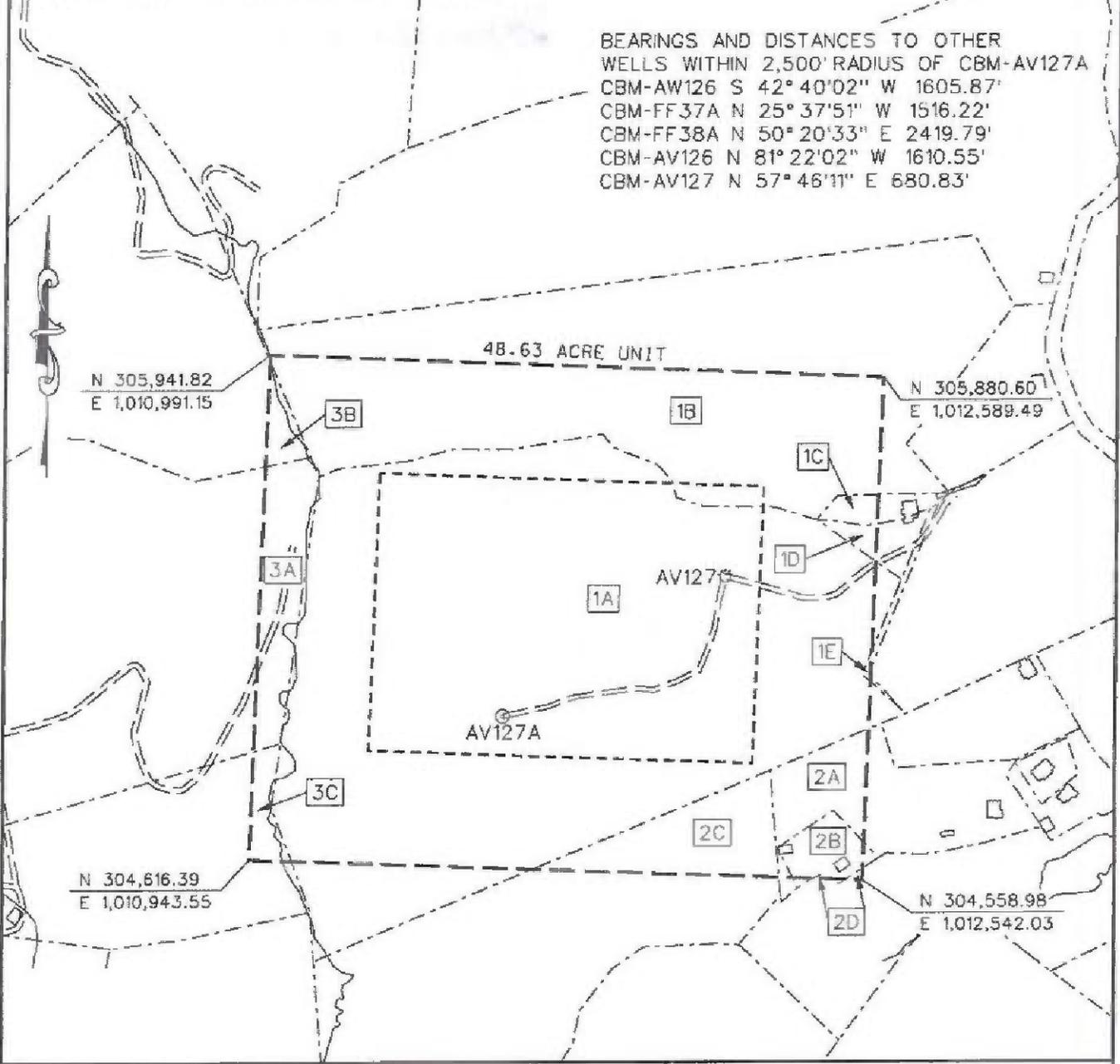


2015 116170

BOOK 0794 PAGE 0408

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-AV127A
CBM-AW126 S 42° 40' 02" W 1605.87'
CBM-FF37A N 25° 37' 51" W 1516.22'
CBM-FF38A N 50° 20' 33" E 2419.79'
CBM-AV126 N 81° 22' 02" W 1610.55'
CBM-AV127 N 57° 46' 11" E 680.83'



○ CBM WELL
⊙ PROPOSED CBM WELL

EXHIBIT A
MIDDLE RIDGE FIELD
UNIT AV127
FORCE POOLING
VGOB-04-1214-1365-02

Company CNX Gas Company LLC Well Name and Number UNIT AV127
Tract No. _____ Elevation _____ Quadrangle HONAKER
County RUSSELL/TAZEWELL District NEW GARDEN/MAIDEN SPRINGS
This plat is a new plat X : an updated plat _____

Form DCO-CO-7
Rev. 9/91

Licensed Professional Engineer or Licen



100196
Signed by James R. Dills, Jr.
Dillon Trust ACES
Business Representative and R.
PRICE ENGINEERING AND LAND
SURVEYING INC PC, on James R.
Dills, Jr. (Affix Seal)
0.92342.19200300.100.1.1=A01096
for 90000012E01701153000027EA
Date: 2015.03.11 14:30:37 -0400

2015 016171

CNX Gas Company LLC

UNIT AV 127

Tract Identifications

BOOK 0794 PAGE 0409

- 1A. Coal Mountain Mining Company Limited Partnership, LLP Tr. 40 (288.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – Surface, Oil and Gas
Tax Map 84A Parcel 14
31.56 Acres 64.8982%

- 1B. Coal Mountain Mining Company Limited Partnership, LLP Tr. 40 (288.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Buford Short, et ux – Surface, Oil and Gas
Tax Map 84A Parcel 10
9.84 Acres 20.2344%

- 1C. Coal Mountain Mining Company Limited Partnership, LLP Tr. 40 (288.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Paul Osborne – Surface, Oil and Gas
Tax Map 84A Parcel 11
0.22 Acres 0.4525%

- 1D. Coal Mountain Mining Company Limited Partnership, LLP Tr. 40 (288.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Paul Osborne – Surface, Oil and Gas
Tax Map 84A Parcel 12
0.17 Acres 0.3496%

- 1E. Coal Mountain Mining Company Limited Partnership, LLP Tr. 40 (288.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Carol Sims, et vir – Surface, Oil and Gas
Tax Map 84A Parcel 18
0.01 Acres 0.0206%

- 2A. Coal Mountain Mining Company Limited Partnership, LLP Tr. 21 (86.00 Acre Tract) – Coal
CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Dale Salyers, et ux – Surface, Oil and Gas
Tax Map 84A Parcel 25B
1.25 Acres 2.5704%

(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.)

UNIT AV 127

Tract Identifications

- 2B. Coal Mountain Mining Company Limited Partnership, LLP Tr. 21 (86.00 Acre Tract) – Coal
 CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
 Knox Creek Coal Corporation – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Dale Salyers, et ux – Surface, Oil and Gas
 Tax Map 84A Parcel 25B
 0.65 Acres 1.3366%

- 2C. Coal Mountain Mining Company Limited Partnership, LLP Tr. 21 (86.00 Acre Tract) – Coal
 CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
 Knox Creek Coal Corporation – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Jackie Davis, et ux – Surface, Oil and Gas
 Tax Map 84A Parcel 26
 2.15 Acres 4.4211%

- 2D. Coal Mountain Mining Company Limited Partnership, LLP Tr. 21 (86.00 Acre Tract) – Coal
 CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
 Knox Creek Coal Corporation – Above Drainage Coal Leased
 CNX Gas Company LLC – CBM Leased
 Tammy Widener – Surface, Oil and Gas
 Tax Map 84A Parcel 24
 0.05 Acres 0.1028%

- 3. Coal Mountain Mining Company Limited Partnership, LLP Tr. 41 (158.50 Acre Tract) – Minerals
 CONSOL Buchanan Mining Company LLC - Below Drainage Coal Leased
 Knox Creek Coal Corporation – Above Drainage Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Tax Map 84A Parcel 15
 2.73 Acres 5.6138%

- 3A. Unknown Surface Owner
- 3B. Unknown Surface Owner
- 3C. 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 coalbed methane ownership and should not be relied upon for such purpose.)

2015 M16173

Exhibit B-3
 Unit AV-127
 Docket #VGOB 04-1214-1366-02
 List of Respondents to be Pooled
 (48.63 Acre Unit)

BOOK 0794 PAGE 0411

	Acres in Unit	Interest in Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #1B, 9.84 acres</u>		
(1) Buford E. Short, et ux. 3929 Road Ridge Turnpike Raven, VA 24639	9.84 acres	20.2344%
<u>Tract #1C, 0.22 acres</u>		
(1) John McClanahan, et ux. <i>Conveyed by Deed dated 3/28/2008 and recorded in Tazewell Co under DB1025 / PG297 on 4/1/2008</i>		
(a) Paul Osborne PO Box 60 Richlands, VA 24641	0.22 acres	0.4524%
<u>Tract #1D, 0.17 acres</u>		
(1) John McClanahan, et ux. <i>Conveyed by Deed dated 3/28/2008 and recorded in Tazewell Co under DB1025 / PG297 on 4/1/2008</i>		
(a) Paul Osborne PO Box 60 Richlands, VA 24641	0.17 acres	0.3496%
<u>Tract #1E, 0.01 acres</u>		
(1) Carol Sims, et vir. 511 Pagewood Drive Newport News, VA 23602	0.01 acres	0.0206%
<u>Tract #2A, 1.25 acres</u>		
(1) Gladys Salyers <i>Conveyed by Deed of Gift dated 4/30/1999 and recorded in Tazewell Co at DB773 / PG107 on 4/30/1999</i>		
(a) Dale Salyers, et ux. (T/E) 484 Stella Lane Raven, VA 24639	1.25 acres	2.5704%
<u>Tract #2B, 0.65 acres</u>		
(1) Dale Salyers, et ux 484 Stella Lane Raven, VA 24639	0.65 acres	1.3366%
<u>Tract #2C, 2.15 acres</u>		
(1) Jackie Davis, et ux. 3595 Road Ridge Turnpike Raven, VA 24639	2.15 acres	4.4211%
<u>Tract #2D, 0.05 acres</u>		
(1) Tammy Widener 243 Valley St Wise, VA 24293	0.05 acres	0.1028%
<u>TOTAL OIL & GAS ESTATE:</u>		
Acreage in Unit Unleased	14.34	
Percentage of Unit Unleased		29.4880%

2015 016174

Exhibit E
Unit AV-127
Docket #VGOB 04-1214-1385-02
List of Owners/Claimants in Escrow
(48.63 Acre Unit)

BOOK 0794 PAGE 0412

	Acres in Unit	Interest in Unit
<u>Tract #1A, 31.56 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. <i>Tr. 40 (288.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	31.56 acres	64.8982%
<u>OIL & GAS OWNERSHIP</u>		
(1) Nena I. Gonet <i>Conveyed by Deed dated 7/19/2004 and recorded in Tazewell Co under DB916 / PG566 on 8/11/2004</i>		
(a) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	31.56 acres	64.8982%
<u>Tract #1C, 0.22 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. <i>Tr. 40 (288.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	0.22 acres	0.4524%
<u>OIL & GAS OWNERSHIP</u>		
(1) John McClanahan, et ux. <i>Conveyed by Deed dated 3/28/2008 and recorded in Tazewell Co under DB1025 / PG297 on 4/1/2008</i>		
(a) Paul Osborne PO Box 60 Richlands, VA 24641	0.22 acres	0.4524%
<u>Tract #1D, 0.17 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. <i>Tr. 40 (288.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	0.17 acres	0.3496%
<u>OIL & GAS OWNERSHIP</u>		
(1) John McClanahan, et ux. <i>Conveyed by Deed dated 3/28/2008 and recorded in Tazewell Co under DB1025 / PG297 on 4/1/2008</i>		
(a) Paul Osborne PO Box 60 Richlands, VA 24641	0.17 acres	0.3496%
<u>Tract #1E, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. <i>Tr. 40 (288.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	0.01 acres	0.0206%

2015 PG 16175

BOOK 0794 PAGE 0413

Exhibit E
 Unit AV-127
 Docket #VGOB 04-1214-1365-02
 List of Owners/Claimants in Escrow
 (48.63 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Carol & James F. Sims, T/E 511 Pagewood Drive Newport News, VA 23602	0.01 acres	0.0206%
<u>Tract #2A, 1.25 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 21 (86.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	1.25 acres	2.5704%
<u>OIL & GAS OWNERSHIP</u>		
(1) Gladys Salyers <i>Conveyed by Deed of Gift dated 4/30/1999 and recorded in Tazewell Co at DB773 / PG107 on 4/30/1999</i>		
(a) Dale & Elizabeth Salyers, T/E 484 Stella Lane Raven, VA 24639	1.25 acres	2.5704%
<u>Tract #2B, 0.65 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 21 (86.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	0.65 acres	1.3366%
<u>OIL & GAS OWNERSHIP</u>		
(1) Dale & Elizabeth Salyers, T/E 484 Stella Lane Raven, VA 24639	0.65 acres	1.3366%
<u>Tract #2C, 2.15 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 21 (86.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	2.15 acres	4.4211%
<u>OIL & GAS OWNERSHIP</u>		
(1) Jackie & Christine Sue Davis, T/E 3595 Road Ridge Turnpike Raven, VA 24639	2.15 acres	4.4211%
<u>Tract #2D, 0.05 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 21 (86.00 Acre Tract) P.O. Box 675 Tazewell, VA 24651	0.05 acres	0.1028%

2015 016176

BOOK 0794 PAGE 0414

Exhibit E
Unit AV-127
Docket #VGOB 04-1214-1365-02
List of Owners/Claimants in Escrow
(48.63 Acre Unit)

	<u>Acres in Unit</u>	<u>Interest in Unit</u>
<u>OIL & GAS OWNERSHIP</u>		
(1) Tammy Widener 243 Valley St Wise, VA 24293	0.05 acres	0.1028%
	<u>TOTALS:</u>	
	Acres in Unit	38.0600
	Percentage of Unit	74.1518%

2015 M16177

Exhibit EE
Unit AV-127
Docket #VGOB 04-1214-1365-02
List of Respondents with Court Order Agreement
(48.63 Acre Unit)

BOOK 0794 PAGE 0415

Handwritten notes and stamps in the top right corner, including "10/26/15" and "12:00 PM".

	Acres in Unit	Interest in Unit
<u>Tract #1B, 9.84 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651		
<u>OIL & GAS OWNERSHIP</u>		
(1) Buford E. Short, et ux. 3829 Road Ridge Turnpike Raven, VA 24639	9.84 acres	20.2344%

Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 11-301 executed in the order dated March 30, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.

INSTRUMENT #150003161
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
OCTOBER 26, 2015 AT 04:10PM
TAMMY B. ALLISON, CLERK
RECORDED BY: MLT

FOR DEPOSIT ONLY
TAZEWELL CIRCUIT
RCPT : 15000012862
CASE : 185CLR150003161

1501998

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 10-9, 2015. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 12:00 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Kethon

TESTE JANN S. McREYNOLDS, CLERK
BY: Walter Colley D. CLERK