

VIRGINIA:

BOOK - 747 PAGE 0226

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 06-0221-1580

ELECTIONS: UNIT BH-118  
(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 8, 2006 which was recorded at Deed Book 658, Page 0199 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on August 16, 2006, (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 BH-118;

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.

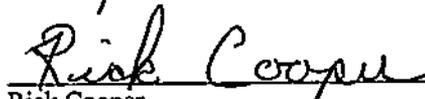
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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.

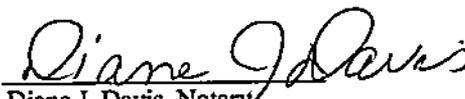
  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 2<sup>nd</sup> day of April, 2012, by Order of the Board.

  
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, Notary  
174394

My commission expires: September 30, 2013



VIRGINIA:

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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 BH-118  
VGOB 06-0221-1580 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 8, 2006, 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 August 16, 2006;

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 8, 2006:

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:

See attached Exhibit B-2

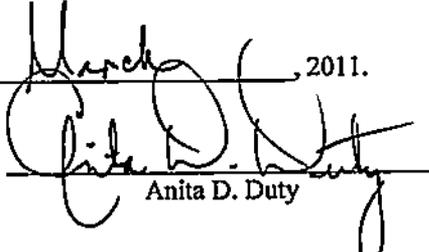
That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Mary V. Carpenter

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.

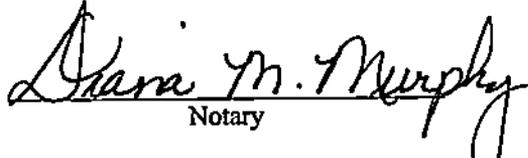
None

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.

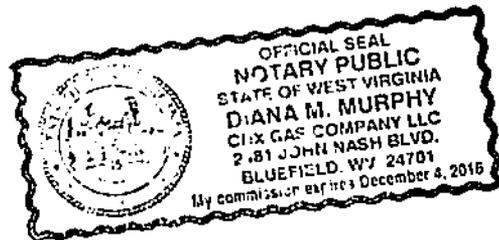
Dated at Bluefield, West Virginia, this 2<sup>nd</sup> day of March, 2011.  
  
Anita D. Duty

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 2<sup>nd</sup> day of March, 2011.

  
Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

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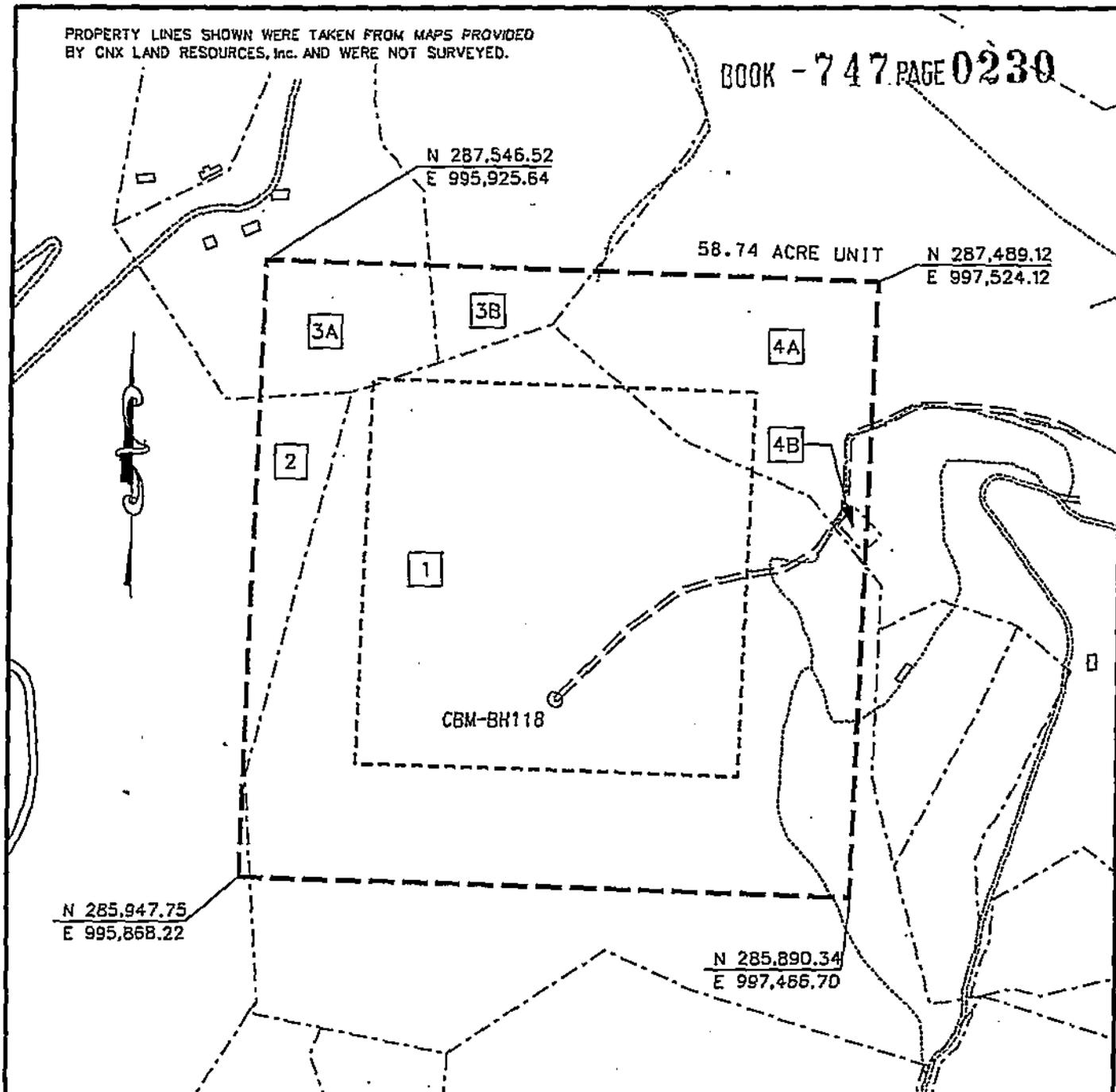


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT BH-118  
 FORCE POOLING  
 VGOB-06-0221-15B0

Company CNX Gas Company LLC Well Name and Number UNIT-BH118  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Honaker  
 County Russell District New Garden Scale: 1" = 400' Date 1/18/00  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGD-60-7  
 Rev. 9/91

*Charles D. Meyer*  
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)



Exhibit B-2  
Unit BH-118  
Docket #VGOB 06-0221-1580  
List of Respondents to be Dismissed  
(58.74 Acre Unit)

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	Acres In Unit	Interest In Unit	Reason for Dismissal
<b>II. OIL &amp; GAS OWNERSHIP</b>			
<u>Tract #3B, 1.60 acres</u>			
	1.60 acres	2.7239%	
(3)	Hobert Bostic Heirs, Devisees, Successors or Assigns		
(f)	Mary V. Carpenter 167 E. Hudson Street Columbus, OH 43202	0.02 acres 5/486 of 1.60 acres	0.0280% Leased

Exhibit B-3  
 Unit BH-118  
 Docket #VGOB 06-0221-1580  
 List of all Unleased Owners/Claimants  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #3B, 1.60 acres</u></b>		
Camie Odell Bostic, et al.	1.60 acres	2.7239%
(3) Hobert Bostic Heirs, Devisees, Successors or Assigns		
(a) Josephine Perkins Heirs, Devisees, Successors or Assigns		
(a.1) JoAnn Smith PO Box 1143 Claremont, NC 28610	0.01 acres 2/583 of 1.60 acres	0.0093%
(a.2) Diana Dolin PO Box 1152 Millers Creek, NC 28651	0.01 acres 2/583 of 1.60 acres	0.0093%
(a.3) Cheryl Cox <i>Address Unknown</i>	0.01 acres 2/583 of 1.60 acres	0.0093%
(e) Benjamin Miller 32591 Johnson Road Salisbury, MD 21801	0.02 acres 5/486 of 1.60 acres	0.0280%

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Exhibit E  
 Unit BH-118  
 Docket #VGOB 06-0221-1580  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #3A, 3.37 acres</u>		
<b>COAL OWNERSHIP</b>		
(1) Sylvia Watson, et al. (previously Myra Looney Heirs) (20 Acre Tract)	3.37 acres	5.7371%
(a) Sylvia Watson Heirs, Devisees, Successors or Assigns		
(a.1) James Arthur Watson, widower 301 E. Mill Road Evansville, TN 47711 (Bad Address)	0.56 acres 1/6 of 1.60 acres	0.9562%
(b) Zelma Ruth Raypole Heirs, Devisees, Successors or Assigns		
(b.1) Jeremy Wallace 165 Columbus Street Wilmington, OH 45177	0.56 acres 1/6 of 1.60 acres	0.9562%
(c) Virginia Crosier HC83 Box 147 Union, WV 24646		
(d) Lex I. Looney Heirs, Devisees, Successors or Assigns		
(d.1) Golda Looney, widow 14230 RR41S Greenfield, OH 45123	0.56 acres 1/6 of 1.60 acres	0.9562%
(e) Joan Foley 165 Columbus Street Wilmington, OH 45177		
(f) Ralph B. Looney Heirs, Devisees, Successors or Assigns		
(f.1) Teresa Stodgel 71 N. Buffalo St. POB 405 Hamden, OH 45634	0.28 acres 1/12 of 1.60 acres	0.4781%
(f.2) Melody Powell HC3 Box 810 Port St. Joe, FL 32456	0.28 acres 1/12 of 1.60 acres	0.4781%
<b>OIL &amp; GAS OWNERSHIP</b>		
(1) Swords Creek Land Partnership, Tr. 49 P.O. Box 29 Tazewell, VA 24651	3.37 acres	5.7371%

Tract #3B, 1.60 acres

**COAL OWNERSHIP**

(1) Sylvia Watson, et al. (previously Myra Looney Heirs) (20 Acre Tract)	1.60 acres	2.7239%
(a) Sylvia Watson Heirs, Devisees, Successors or Assigns		
(a.1) James Arthur Watson, widower 301 E. Mill Road Evansville, TN 47711 (Bad Address)	0.267 acres 1/6 of 1.60 acres	0.4540%

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Exhibit E  
Unit BH-118  
Docket #VGOB 06-0221-1580  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) Zelma Ruth Raypole Heirs, Devises, Successors or Assigns		
(b.1) Jeremy Wallace 165 Columbus Street Wilmington, OH 45177	0.267 acres 1/6 of 1.60 acres	0.4540%
(c) Virginia Crosier		
HC83 Box 147 Union, WV 24646	0.267 acres 1/6 of 1.60 acres	0.4540%
(d) Lex I. Looney Heirs, Devises, Successors or Assigns		
(d.1) Golda Looney, widow 14230 RR41S Greenfield, OH 45123	0.267 acres 1/6 of 1.60 acres	0.4540%
(e) Joan Foley		
165 Columbus Street Wilmington, OH 45177	0.267 acres 1/6 of 1.60 acres	0.4540%
(f) Ralph B. Looney Heirs, Devises, Successors or Assigns		
(f.1) Teresa Stodgel 71 N. Buffalo St. POB 405 Hamden, OH 45634	0.133 acres 1/12 of 1.60 acres	0.2270%
(f.2) Melody Powell HC3 Box 810 Port St. Joe, FL 32456	0.133 acres 1/12 of 1.60 acres	0.2270%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Camie Odell Bostic, et al.		
	1.60 acres	2.7239%
(1) Diden Bostic Heirs, Devises, Successors or Assigns		
(a) Camie Odell Bostic Heirs, Devises, Successors or Assigns		
(a.1) Jeff Bostic 379 Robinson Ridge Rd Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(a.2) Mark Bostic 718 Bostic Hollow Rd Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(a.3) Allen Hubbard 4229 Lynn Springs Rd. Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(a.4) Dena Anders 1018 Bostic Hollow Rd. Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(a.5) Beverly Burke 1197 Bostic Hollow Rd. Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(a.6) Deborah Bostic 411 Bostic Hollow Rd. Swords Creek, VA 24649	0.08 acres 45/866 of 1.60 acres	0.1415%
(b) Dolly Jane Miller		
72 Laurel Branch Rd. Honaker, VA 24260	0.40 acres 1/4 of 1.60 acres	0.6810%

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Exhibit E  
 Unit BH-118  
 Docket #VGOB 06-0221-1580  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

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	Acres In Unit	Interest in Unit
(c) Lola Miller 808 Lynn Spring Road Swords Creek, VA 24649	0.10 acres 16/259 of 1.60 acres	0.1683%
(2) Dora Dye & Floyd Bostic Heirs, Devisees, Successors or Assigns		
(a) Debra Taylor P.O. Box 931 Honaker, VA 24260	0.06 acres 33/839 of 1.60 acres	0.1071%
(b) Donald L. Bostic 4301 Seemsville Road North Hampton, PA 18067	0.06 acres 33/839 of 1.60 acres	0.1071%
(c) Vester Bostic Heirs, Devisees, Successors or Assigns		
(c.1) Michael Bostic 7781 Dove Drive Alexandria, VA 22306	0.02 acres 11/839 of 1.60 acres	0.0357%
(c.2) Darren Kelly Bostic 884 Western Lane Alexandria, VA 22309	0.02 acres 11/839 of 1.60 acres	0.0357%
(c.3) Theresa Thompson 6284 Browning Road Culpepper, VA 22701	0.02 acres 11/839 of 1.60 acres	0.0357%
(d) James P. Bostic 1411 Alexis Drive Joppa, MD 21085	0.06 acres 33/839 of 1.60 acres	0.1071%
(e) Lois Gay Dye 808 North Sandusky Avenue Bucyrus, OH 44820	0.06 acres 33/839 of 1.60 acres	0.1071%
(f) Linda Putnam 1779 Whetstone Street, Apt #113 Bucyrus, OH 44820	0.06 acres 33/839 of 1.60 acres	0.1071%
(g) Janice Miller 1779 Whetstone Street, Apt #113 Bucyrus, OH 44820	0.06 acres 33/839 of 1.60 acres	0.1071%
(h) Dallas A. Whited 4984 Swords Creek Rd. Swords Creek, VA 24649	0.06 acres 33/839 of 1.60 acres	0.1071%
(3) Hobert Bostic Heirs, Devisees, Successors or Assigns		
(a) Josephine Perkins Heirs, Devisees, Successors or Assigns		
(a.1) JoAnn Smith PO Box 1143 Claremont, NC 28610	0.01 acres 2/583 of 1.60 acres	0.0093%
(a.2) Diane Dolin PO Box 1152 Millers Creek, NC 28651	0.01 acres 2/583 of 1.60 acres	0.0093%
(a.3) Cheryl Cox Address Unknown	0.01 acres 2/583 of 1.60 acres	0.0093%
(b) Madeline Richardson P.O. Box 243 Swords Creek, VA 24649	0.02 acres 5/486 of 1.60 acres	0.0280%

Exhibit E  
 Unit BH-118  
 Docket #VGOB 06-0221-1580  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c) Russell Bostic 2380 Upper Lake Road Thomasville, NC 27360	0.02 acres 5/486 of 1.60 acres	0.0280%
(d) Nancy C. Harless 4879 Alum Spring Road Pulaski, VA 24301	0.02 acres 5/486 of 1.60 acres	0.0280%
(e) Benjamin Miller 32591 Johnson Road Salisbury, MD 21801	0.02 acres 5/486 of 1.60 acres	0.0280%
(f) Mary V. Carpenter 167 E. Hudson Street Columbus, OH 43202	0.02 acres 5/486 of 1.60 acres	0.0280%

**1200869**

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.

Original returned this date to: Sharon Hagy

TESTE: ANN S. McREYNOLDS, CLERK  
 BY: Sheila Ketter D. CLERK

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