

0001722

120000283

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 07-0515-1922

ELECTIONS: UNIT E-14  
(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 January 13, 2008 which was recorded at Document 080000258 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 23, 2008, (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 E-14;

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 12 day of Jan, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 12<sup>th</sup> day of JANUARY, 2012, by Order of the Board.

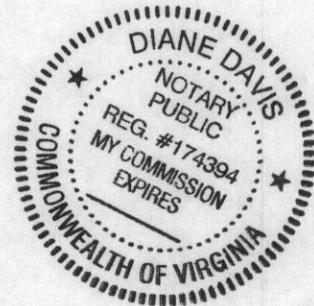
Rick Cooper  
Rick Cooper  
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 12<sup>th</sup> day of January, 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 Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane Davis  
Diane Davis, Notary Public  
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 E-14  
VGOB 07-0515-1922 in the Grundy 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 Resources, 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 January 13, 2008, 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 January 23, 2008;

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:

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 January 13, 2008;

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:

None

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:

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.

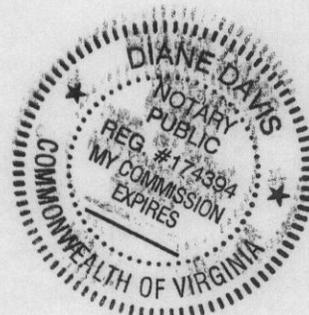
Dated at Bluefield, West Virginia, this 5<sup>th</sup> day of January, 2012  
Anita D. Duty  
Anita D. Duty

STATE OF ~~WEST~~ VIRGINIA  
COUNTY OF ~~MILLER~~ RUSSELL

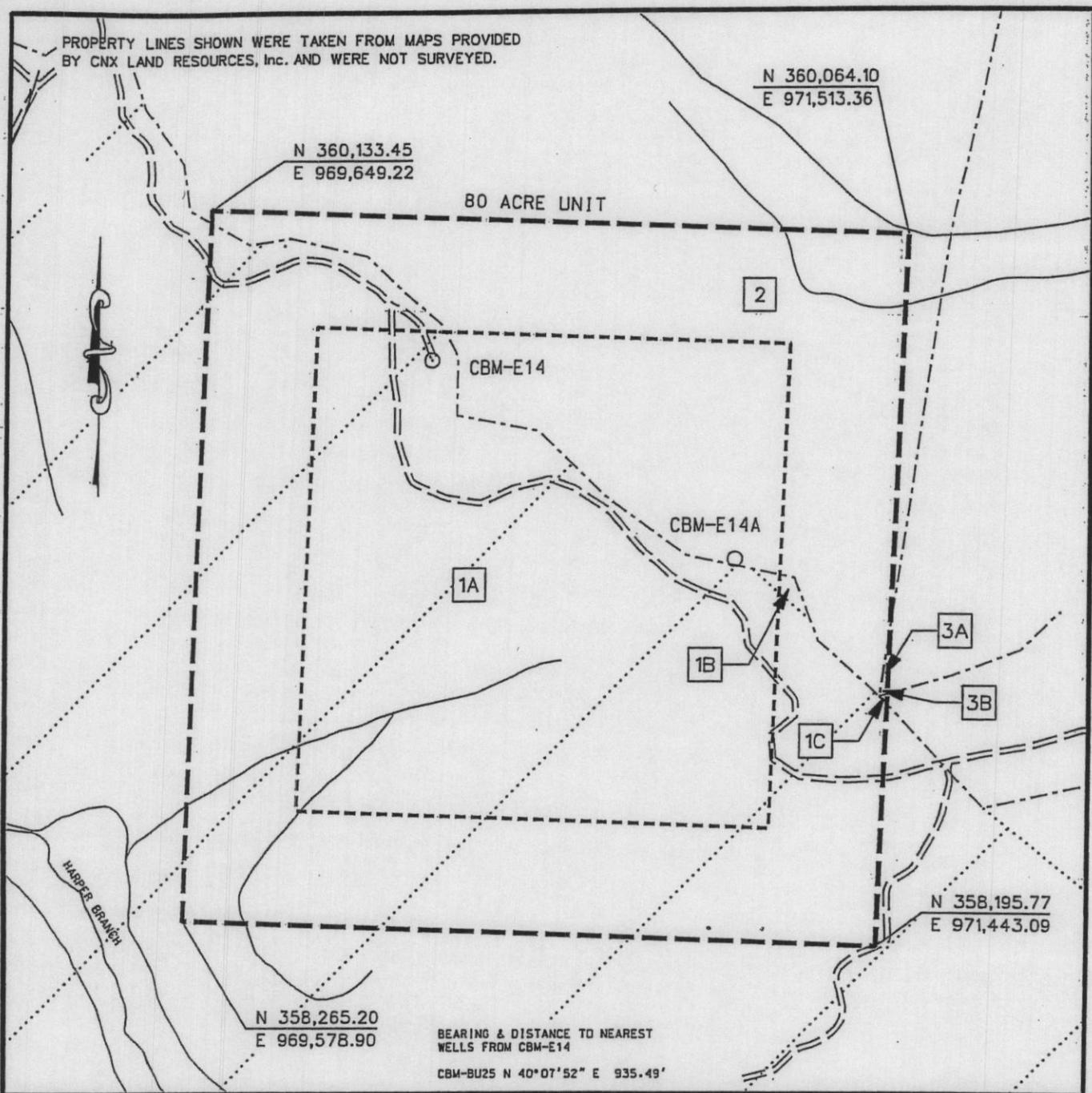
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 5<sup>th</sup> day of January, 2012.

Diane J. Davis  
Notary

My commission expires: 9/30/13.



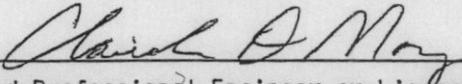
PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

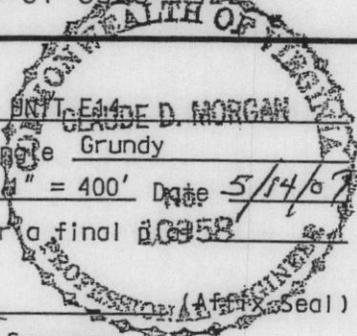


BEARING & DISTANCE TO NEAREST WELLS FROM CBM-E14  
 CBM-BU25 N 40°07'52" E 935.49'

EXHIBIT A  
 OAKWOOD FIELD  
 UNIT E-14  
 FORCE POOLING  
 VGQB-07-0515-1932

Company CNX Gas Company LLC Well Name and Number UNIT E-14 D. MORGAN  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Grundy  
 County Buchanan District South Grundy Scale: 1" = 400' Date 5/14/07  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GD-7  
 Rev. 9/91  
  
 Licensed Professional Engineer or Licensed Land Surveyor



**CNX Gas Company LLC**  
**UNIT E-14**  
**Tract Identifications**

- 1A. Consolidation Coal Company, et al Big Vein Tr. 14 (542.95 Acre Tract) - All Minerals except Oil, Gas and CBM  
Plum Creek Timberlands, L.P., et al - Oil, Gas and CBM  
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Tiller and Above Coal Leased  
Appalachian Energy - Oil and Gas Leased  
CNX Gas Company LLC - CBM Leased  
Jewell Smokeless Coal Corporation - Surface  
55.75 acres                      69.6875%
- 1B. Consolidation Coal Company, et al Big Vein Tr. 14 (542.95 Acre Tract) - All Minerals except Oil, Gas and CBM  
Plum Creek Timberlands, L.P., et al - Oil, Gas and CBM  
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Jewell Smokeless Coal Corporation - Surface  
0.15 acres                      0.1875%
- 1C. Consolidation Coal Company, et al Big Vein Tr. 14 (542.95) - All Minerals except Oil, Gas and CBM  
Plum Creek Timberlands, L.P., et al - Oil, Gas and CBM  
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
Unknown Surface Owner  
0.01 acres                      0.0125%
2. Jay Rife, et al (219.40 Acre Tract) - Coal  
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased (75%)  
Appalachian Natural Gas Distribution Company - All Minerals except Coal  
CNX Gas Company LLC - CBM Leased (75%)  
Appalachian Natural Gas Distribution Company - Surface  
24.05 acres                      30.0625%
- 3A. Earl W. Yates, et al. (Heirs of Louisa B. Yates) - All Minerals  
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased  
CNX Gas Company LLC - CBM Leased (94.0848%)  
Darrell Alvin Daniels, et ux. - Surface  
0.03 acres                      0.0375%

**CNX Gas Company LLC**

**UNIT E-14**

**Tract Identifications**

- 3B. Earl W. Yates, et al. (Heirs of Louisa B. Yates) – All Minerals  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Drainage Leased  
Appalachian Energy – Oil and Gas Leased  
CNX Gas Company LLC - CBM Leased (94.0848%)  
Darrell Alvin Daniels, et ux. - Surface  
0.01 acres                      0.0125%

Exhibit B-3  
Unit E-14  
Docket #VGOB 07-0515-1922  
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
<b>I. COAL OWNERSHIP</b>		
<b><u>Tract #2, 24.05 acres</u></b>		
(1) Jay Rife, et al.	24.05 acres	30.0625%
(b) Janet R. McGhee 1102 Shallow Well Road Manakensabot, VA 23103	6.01 1/4 of 24.05 acres	7.5156%
<i>Note: The CBM royalties belong to Appalachian Natural Gas Distribution Company</i>		
<b><u>Tract #3A, 0.03 acres</u></b>		
Earl W. Yates, et al. <i>(Richard &amp; Louise B. Yates Heirs, Devisees, Successors or Assigns)</i>	0.03 acres	0.0375%
(2) Margie Yates Belcher Heirs, Devisees, Successors or Assigns		
(a) Thurmand Belcher Heirs, Devisees, Successors or Assigns		
(a.2) Thomas L. Belcher 2212 Kirby Road Richmond, VA 23224	0.0002 1/128 of 0.03 acres	0.0003%
(a.3) Gregory S. Belcher 268 Sports Lake Road Cumberland, VA 23040	0.0002 1/128 of 0.03 acres	0.0003%
(a.4) Christine B. Stevens 1000 Newbys Bridge Road Chesterfield, VA 23832	0.0002 1/128 of 0.03 acres	0.0003%
(7) Lena C. Yates Heirs, Devisees, Successors or Assigns		
(f) Craig A. Horn 901 Paul Drive Beaufort, SC 29902	0.0003 1/120 of 0.03 acres	0.0003%
(g) Anna Marie S. Tressner P.O. Box 324 Boones Mill, VA 24065	0.0003 1/120 of 0.03 acres	0.0003%
<b><u>Tract #3B, 0.01 acres</u></b>		
Earl W. Yates, et al. <i>(Richard &amp; Louise B. Yates Heirs, Devisees, Successors or Assigns)</i>	0.01 acres	0.0125%
(2) Margie Yates Belcher Heirs, Devisees, Successors or Assigns		
(a) Thurmand Belcher Heirs, Devisees, Successors or Assigns		
(a.2) Thomas L. Belcher 2212 Kirby Road Richmond, VA 23224	0.0001 1/128 of 0.01 acres	0.0001%
(a.3) Gregory S. Belcher 268 Sports Lake Road Cumberland, VA 23040	0.0001 1/128 of 0.01 acres	0.0001%
(a.4) Christine B. Stevens 1000 Newbys Bridge Road Chesterfield, VA 23832	0.0001 1/128 of 0.01 acres	0.0001%

**Exhibit B-3  
Unit E-14  
Docket #VGOB 07-0515-1922  
List of all Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
(7) Lena C. Yates Heirs, Devisees, Successors or Assigns		
(f) Craig A. Horn 901 Paul Drive Beaufort, SC 29902	0.0001 1/120 of 0.01 acres	0.0001%
(g) Anna Marie S. Tressner P.O. Box 324 Boones Mill, VA 24065	0.0001 1/120 of 0.01 acres	0.0001%
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #2, 24.05 acres</u></b>		
(1) Appalachian Natural Gas Distribution Company 1096 Ole Berry Drive Abingdon, VA 24211	6.01 acres 1/4 of 24.05 acres (Only 1/4 remains unleased)	7.5125%
<b><u>Tract #3A, 0.03 acres</u></b>		
Earl W. Yates, et al. (Richard & Louise B. Yates Heirs, Devisees, Successors or Assigns)	0.03 acres	0.0375%
(2) Margie Yates Belcher Heirs, Devisees, Successors or Assigns		
(a) Thurmand Belcher Heirs, Devisees, Successors or Assigns		
(a.2) Thomas L. Belcher 2212 Kirby Road Richmond, VA 23224	0.0002 1/128 of 0.03 acres	0.0003%
(a.3) Gregory S. Belcher 268 Sports Lake Road Cumberland, VA 23040	0.0002 1/128 of 0.03 acres	0.0003%
(a.4) Christine B. Stevens 1000 Newbys Bridge Road Chesterfield, VA 23832	0.0002 1/128 of 0.03 acres	0.0003%
(7) Lena C. Yates Heirs, Devisees, Successors or Assigns		
(f) Craig A. Horn 901 Paul Drive Beaufort, SC 29902	0.0003 1/120 of 0.03 acres	0.0003%
(g) Anna Marie S. Tressner P.O. Box 324 Boones Mill, VA 24065	0.0003 1/120 of 0.03 acres	0.0003%
<b><u>Tract #3B, 0.01 acres</u></b>		
Earl W. Yates, et al. (Richard & Louise B. Yates Heirs, Devisees, Successors or Assigns)	0.01 acres	0.0125%
(2) Margie Yates Belcher Heirs, Devisees, Successors or Assigns		
(a) Thurmand Belcher Heirs, Devisees, Successors or Assigns		
(a.2) Thomas L. Belcher 2212 Kirby Road Richmond, VA 23224	0.0001 1/128 of 0.01 acres	0.0001%

10

## Hagy, Sharon (DMME)

---

**From:** VITASHARE System [vitashare@vita.virginia.gov]  
**Sent:** Wednesday, February 29, 2012 12:46 PM  
**To:** Hagy, Sharon (DMME)  
**Subject:** New Transaction HWDLY1TQH9OQJKD9

Transaction details for Sharon Hagy(user shagy\_1) \_\_\_\_\_

Job Id: HWDLY1TQH9OQJKD9

Date: Wed, Feb 29, at 12:46

Transaction Details:

Acknowledge Security Policy: I understand that this system is not intended for sensitive data.

Recipient's Email example- [user1@virginia.gov](mailto:user1@virginia.gov), [user2@virginia.gov](mailto:user2@virginia.gov):

[AnitaDuty@consolenergy.com](mailto:AnitaDuty@consolenergy.com), [gloria.clark@dmme.virginia.gov](mailto:gloria.clark@dmme.virginia.gov), [hilareymullins@consolenergy.c](mailto:hilareymullins@consolenergy.c)

om

Message - Describe file attachment: Please see the following recorded orders for docket:  
2778 3008 3009 1922 0600 1930 Let me know if you are unable to download the files. Thank you,  
Sharon

Notify me when the file is downloaded?: Yes

Pin: 02492

Files:

- 2778\_Pooling-Original.tif
- 3009\_Pooling-Original.tif
- 3008\_Pooling-Original.tif
- 1922\_Supplemental-Original.tif
- 0600\_Supplemental-Original.tif
- 1930\_Supplemental-Original.tif

View details here

<<http://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=HWDLY1TQH9OQJKD9>>

Total Estimated File Size: 1712 KB

Total Number of Files: 6

Estimated Upload Time: 00:02:06