

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB-08/10/21-2357

ELECTIONS, UNIT: 826868 (HY-10-H)

(hereinafter "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on November 29, 2011 and recorded instrument # 110003069 in the Office of the Clerk of Circuit Court, Buchanan County, Virginia on December 15, 2011 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
  - (a) The Board Order directed Range Resources-Pine Mountain Inc., (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
  - (b) The designated operator filed its affidavit of mailing dated January 11, 2012, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated May 18, 2012, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (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, interest, estates and claims in Subject Drilling Unit to the Designated Operator;
  - (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
  - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, First Bank & Trust Company, P.O. Box 3860, Kingsport, TN, 37660 (423) 245-6971, Attn: Debbie Davis, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. 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 Affidavits, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company, P.O. Box 3860, Kingsport, TN, 37660 (423) 245-6971, 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 said affidavits to receive such funds and account to the Board therefore.
  4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that true and correct copy of this Order to each person whose interest or claim is subject to escrow and whose address is known.
  5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

DONE AND EXECUTED this 31 day of May, 2012 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 31<sup>ST</sup> day of MAY, 2012 by Order of this Board.

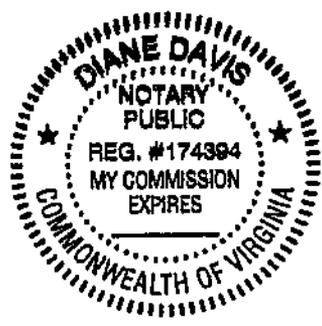
Rick Cooper  
Rick Cooper  
Principal Executive To The Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA       )  
COUNTY OF RUSSELL    )

Acknowledged on this 31<sup>st</sup> day of May, 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 David Asbury Jr., 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.

Diane J. Davis  
Diane Davis, Notary  
174394

My commission expires: September 30, 2013.



**EXHIBIT B**  
**Well No. 826868 (HY-10H)**

<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>PERCENT INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE WITHIN UNIT</u>
<b>TRACT 1 65.88 Acres in Unit</b>			
Green Charles Estate c/o John H. Baird, Attorney In Fact P.O. Box 351 Pikeville, KY 41502	Leased	13.725000%	43.920000
Donald R. Johnson Attorney at Law 1950 Electric Road Roanoke, VA 24018			
Eagle Coal Corporation c/o Hess, Stewart & Campbell P. O. Box 1060 Huntington, WV 25713-1060	Leased	6.862500%	21.960000
<b>TRACT 2 &amp; 5 13.14 + 6.23 = 19.37 Acres in Unit</b>			
Big Sandy Coal Corporation c/o Hess, Stewart & Campbell P. O. Box 1060 Huntington, WV 25713-1060	Leased	4.035417%	12.913333
Eagle Coal Corporation c/o Hess, Stewart & Campbell P. O. Box 1060 Huntington, WV 25713-1060	Leased	2.017708%	6.456667
Larry Warrix c/o Floyd Engineering 627 Jane Brown Branch Prestonsburg, KY 41653			
<b>TRACT 3 219.18 Acres in Unit</b>			
Jewell Smokeless Coal Company Attn: Robert Weaver P.O. Box 70 Vansant, VA 24656	Leased	34.246875%	109.590000
Buchanan Realty Company, LLC c/o John Irvin 4710 Hunterwood Circle Richmond, TX 77469	Leased	17.123438%	54.795000
Buchanan Realty Company, LLC P.O. Box 1756 Grundy, VA 24614			

George Belcher Estate:

Brian F. Belcher, Trustee for George Belcher Heirs 7413 Lovers Gap Road Vansant, VA 24656	Unleased*	2.446205%	7.827857
Eileen Glover, Trustee for George Belcher Heirs 2226 Daves Branch Road Grundy, VA 24614	Unleased*	2.446205%	7.827857
Robinson D. Belcher, Trustee for George Belcher Heirs 2607 Shepherds Store Road Bedford, VA 24523	Unleased*	2.446205%	7.827857
Gladys C. Clement, Trustee for George Belcher Heirs 3241 Somerset Street SW Roanoke, VA 24014	Unleased*	2.446205%	7.827857
Esther B. Crisman, Trustee for George Belcher Heirs 444 Hanover Road Sandston, VA 23150	Unleased*	2.446205%	7.827857
Roger W. McClanahan, Trustee for George Belcher Heirs Rt. 2, Box 10925 Cedar Bluff, VA 24609	Unleased*	2.446205%	7.827857
Sylvia B. Woodard, Trustee for George Belcher Heirs 458 McNeary Ferry Road Leesville, SC 29070	Unleased*	2.446205%	7.827857
John H. Belcher, Agent for George Belcher Heirs and Trustees 524 Maxfield Road Big Stone Gap, VA 24219	Unleased*		
CNX Gas Company LLC c/o Don Puglio Leatherwood, Inc. 4000 Brownsville Road South Park, PA 15219	Unleased Carried Interest		

\*(Oil and Gas Lessee)

**TRACT 4 12.20 Acres in Unit**

Kentland Coal Company c/o Kentucky Berwind Land Company Attn: Randy Wright, Vice President 300 Summers Street Suite 1050 Charleston, WV 25301	Leased	3.812500%	12.200000
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**TRACT 6 0.49 Acres in Unit**

Mae Charles Mitchell Estate:

Richard Otto 7695 U.S. Highway 27 South Waynesburg, KY 40489	Leased	0.065625%	0.210000
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Angela Lester Stacy P.O. Box 57 Big Rock, VA 24603	Leased	0.021875%	0.070000
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Douglas Mack Justice P.O. Box 2883 Pikeville, KY 41502	Leased	0.021875%	0.070000
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Edith J. Huber and Charles H. Huber, her husband 3901 Greenhaven Lane Goshen, KY 40026-8755	Leased	0.010938%	0.035000
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Florane J. Baird c/o John H Baird P.O. Box 351 Pikeville, KY 41502	Leased	0.032813%	0.105000
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**TRACT 7 2.88 Acres in Unit**

Jewell Smokeless Coal Company Attn: Robert Weaver P.O. Box 70 Vansant, VA 24656	Unleased	0.450000%	1.440000
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Buchanan Realty Company, LLC c/o John Irvin 4710 Hunterwood Circle Richmond, TX 77469	Leased	0.225000%	0.720000
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Buchanan Realty Company, LLC  
P.O. Box 1756  
Grundy, VA 24614

**George Belcher Estate:**

Brian F. Belcher, Trustee for George Belcher Heirs 7413 Lovers Gap Road Vansant, VA 24656	Unleased*	0.032143%	0.102857
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Eileen Glover, Trustee for George Belcher Heirs 2226 Daves Branch Road Grundy, VA 24614	Unleased*	0.032143%	0.102857
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Robinson D. Belcher, Trustee for George Belcher Heirs 2607 Shepherds Store Road Bedford, VA 24523	Unleased*	0.032143%	0.102857
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Gladys C. Clement, Trustee for George Belcher Heirs 3241 Somerset Street SW Roanoke, VA 24014	Unleased*	0.032143%	0.102857
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Esther B. Crisman, Trustee for George Belcher Heirs 444 Hanover Road Sandston, VA 23150	Unleased*	0.032143%	0.102857
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Roger W. McClanahan, Trustee for George Belcher Heirs Rt. 2, Box 10925 Cedar Bluff, VA 24609	Unleased*	0.032143%	0.102857
Sylvia B. Woodard, Trustee for George Belcher Heirs 458 McNeary Ferry Road Leesville, SC 29070	Unleased*	0.032143%	0.102857
John H. Belcher, Agent for George Belcher Heirs and Trustees 524 Maxfield Road Big Stone Gap, VA 24219	Unleased*		
CNX Gas Company LLC c/o Don Puglio Leatherwood, Inc. 4000 Brownsville Road South Park, PA 15219	Unleased Carried Interest		
	*(Oil and Gas Lessee)		

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<b>TOTAL GAS ESTATE</b>		<b>100.000000%</b>	<b>320.000000</b>
Total Percentage Leased		82.201563%	
Total Percentage Unleased		17.798438%	
Total Acreage Leased			263.045000
Total Acreage Unleased			56.955000

**Exhibit "B-3"**  
**826868 (HY-10-H)**  
**Revised 5-18-2012**

<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<b>TRACT 7</b>			
Jewell Smokeless Coal Company Attn: Robert Weaver P.O. Box 70 Vansant, VA 24656	Unleased	0.450000%	1.440000
<hr style="width: 20%; margin-left: 0;"/>			
Total Percentage Unleased		0.450000%	
Total Acreage Unleased			1.440000

**VIRGINIA:**

***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Range Resources-Pine Mountain Inc. for Forced Pooling of Interests in Unit Number 826868 (HY-10-H), VGOB Docket No. VGOB-08/10/21-2357 in the Rocklick Magisterial District of Buchanan County, Virginia.

**AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER**

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on November 29, 2011, by the Virginia Gas and Oil Board regarding the captioned conventional Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause 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 are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil 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 said Order was recorded in the county above named; that said Order was recorded on December 15, 2011.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest 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 Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

Tract  
3&7

Lessor  
CNX Gas Company LLC  
ATTN: Anita Duty  
2481 John Nash Blvd  
Bluefield, WV 24701

Elected  
Carried Interest

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

NONE

7. 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 with regard to their interest and/or claims which are not subject to escrow:

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

See Exhibit B-3

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 18th day of May, 2012.

  
\_\_\_\_\_  
Affiant

State of Tennessee     )  
County of Sullivan     )

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Range Resources-Pine Mountain Inc. a corporation, on behalf of the corporation, this 18th day of May, 2012.

  
\_\_\_\_\_  
Susan Peterson, Notary

My commission expires: October 24, 2012.

INSTRUMENT #120001327  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
JUNE 29, 2012 AT 02:50PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: 658