

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-0616-2523

ELECTIONS: UNIT N-73
(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 31, 2009 which was recorded at Document #090003086 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on October 13, 2009, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein A 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 N-73;

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 8 day of Sept, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 8th day of September, 2011, 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 8th day of September, 2011, 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 N-73
VGOB 09-0616-2523 in the Rocklick District of Buchanan 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 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 August 31, 2009, 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 October 13, 2009;

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 31, 2009;

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:

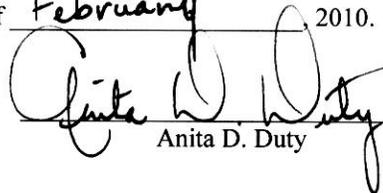
None

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

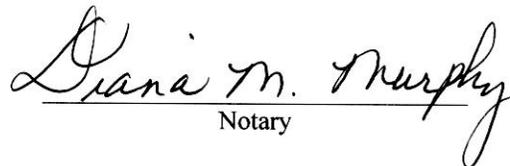
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 19th day of February, 2010.

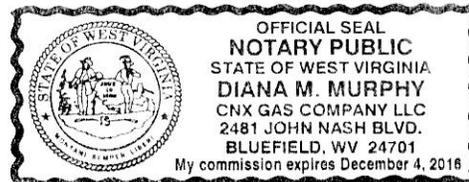

Anita D. Duty

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 February, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

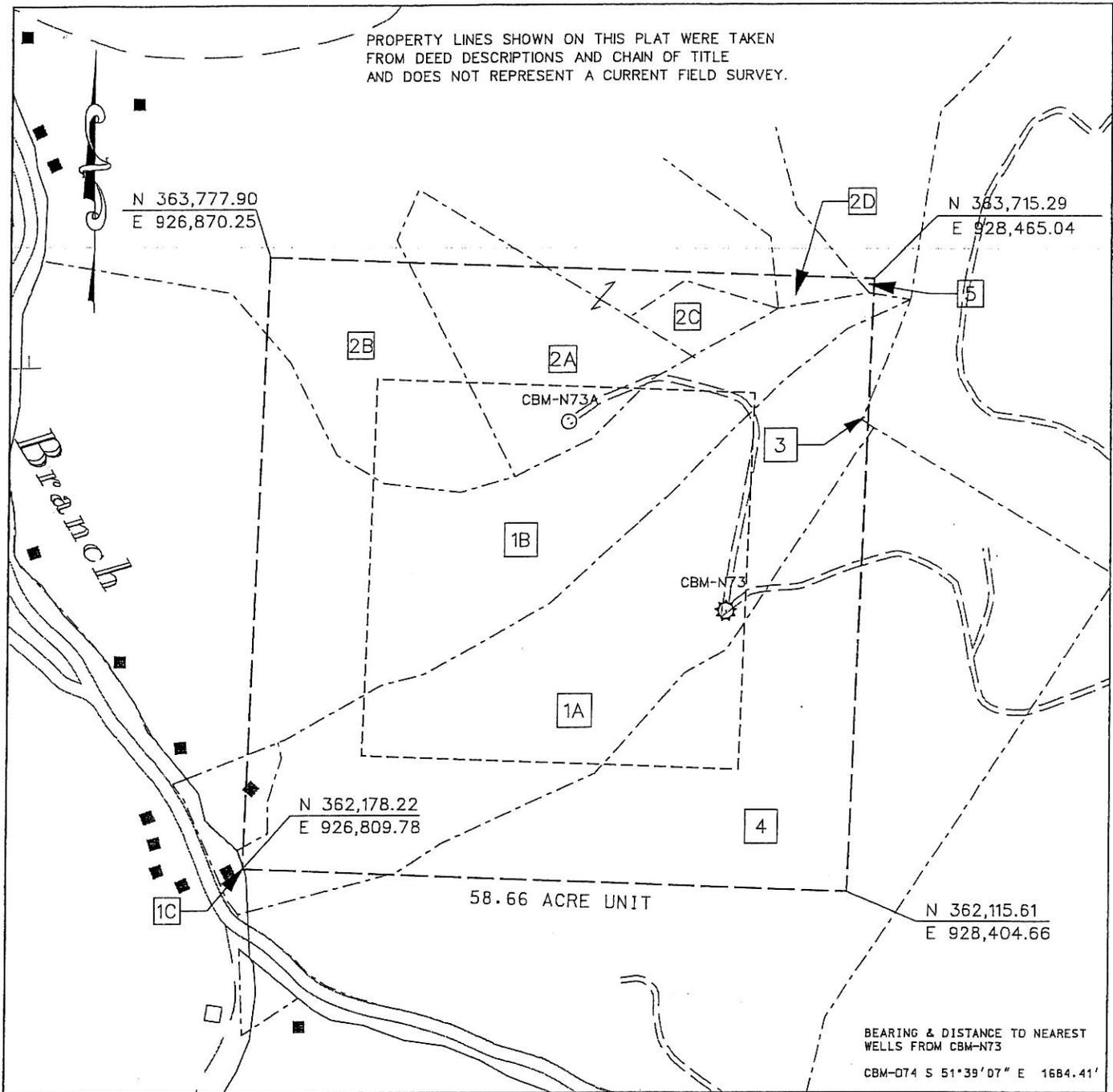
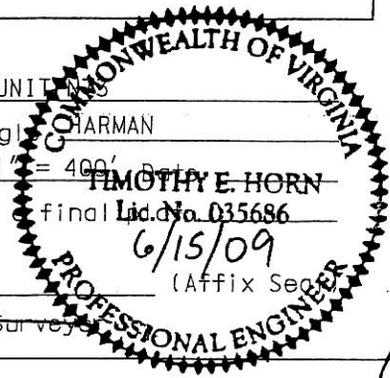


EXHIBIT A
NORA FIELD
UNIT N73
FORCE POOLING
VGDB 09-0616-2523

Company CNX Gas Company LLC Well Name and Number UNIT N73
 Tract No. _____ Elevation _____ Quadrangle _____ CHAIRMAN
 County BUCHANAN District ROCK LICK Scale: 1" = 400'
 This plat is a new plat _____ ; an updated plat X ; or final 6/15/09

Form DGO-GD-7
Rev. 9/91

[Signature]
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT N73
Tract Identifications
(58.66 Acre Unit)

Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) – Coal
Wellmore Energy Company, LLC – Coal in Hagy and Above Seams Leased
Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia
Resource Partners)

CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
17.61 acres 30.0205%

Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) – Coal
Wellmore Energy Company, LLC – Coal in Hagy and Above Seams Leased
Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia
Resource Partners)

CNX Gas Company LLC – CBM Leased
Burton McClanahan, et ux – Surface and All Minerals except Coal
15.45 acres 26.3382%

Bull Creek Coal Company (Josh Clevinger 114.85 Acre Tract) – Coal
Wellmore Energy Company, LLC – Coal in Hagy and Above Seams Leased
Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia
Resource Partners)

CNX Gas Company LLC – CBM Leased
Madie Irene Ratliff – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.01 acres 0.0170%

Melba Sexton Heirs, et al (39.00 Acre Tract) – All Minerals
CNX Gas Company LLC – Oil, Gas and CBM Leased
13.00 acres 22.1616%

Larry Dickey, et ux – Surface Owner
Thelma L. Clevinger, et al – Surface Owner
Unknown Surface Owner
Nellene Clevinger Hutchinson, et al – Surface Owner

Bull Creek Coal Company (H.W. & H.C. Pobst 177 Acre Tract) – All Minerals
Wellmore Energy Company, LLC – Coal in Hagy and Above Seams Leased
Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia
Resource Partners)

Chesapeake Appalachia LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Virgil Lloyd Webb – Surface
0.01 acres 0.0170%

Bull Creek Coal Company (Levi and Josh Clevinger 68.79 Acre Tract) – Coal
Wellmore Energy Company, LLC – Coal in Hagy Seam Leased
CNX Gas Company LLC – CBM Leased
Bobby R. Blankenship, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
12.56 acres 21.4115%

Melba Sexton Heirs, et al (71.00 Acre Tract) – All Minerals
CNX Gas Company LLC – Oil, Gas and CBM Leased
Nellene Clevinger Hutchinson, et al – Surface
0.02 acres 0.0841%

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**Exhibit B-3
Unit N-73
Docket #VGOB 09-0616-2523
List of Unleased Owners/Claimants
(58.66 Acre Tract)**

	Acres in Unit	Percent of Unit
II. <u>OIL & GAS OWNERSHIP</u>		
<u>Tract #1B, 15.45 acres</u>		
(1) Burton McClanahan, et ux. Rt.2 Box 392A Grundy, VA 24614	15.45 acres	26.3382%



Exhibit E
Unit N-73
Docket #VGOB 09-0616-2523
List of Conflicting Owners/Claimants that require escrow
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
<u>Tract #1A, 17.61 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	17.61 acres	30.0205%
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	17.61 acres	30.0205%
<u>Tract #1B, 15.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	15.45 acres	26.3382%
<u>OIL & GAS OWNERSHIP</u>		
(1) Burton McClanahan, et ux. Rt.2 Box 392A Grundy, VA 24614	15.45 acres	26.3382%
<u>Tract #1C, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	0.01 acres	0.0170%
<u>OIL & GAS OWNERSHIP</u>		
(1) Madie Irene Ratliff P.O. Box 482 Maxie, VA 24628	0.01 acres	0.0170%
<u>Tract #4, 12.56 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	12.56 acres	21.4115%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bobby R. Blankenship, et al.	12.56 acres	21.4115%
(a) Bobby Blankenship, et ux. P.O. Box 445 Maxie, VA 24628	8.373 acres 2/3 of 12.56 acres	14.2743%

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Exhibit E
Unit N-73
Docket #VGOB 09-0616-2523
List of Conflicting Owners/Claimants that require escrow
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
(b) Audrey Jean Dye P.O. Box 51 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%
(c) Mary S. Sanders P.O. Box 51 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%
(d) Virginia F. Stiltner P.O. Box 55 Maxie, VA 24628	0.837 acres 1/15 of 12.56 acres	1.4274%
(e) Louise Coleman Heirs, Devisees, Successors or Assigns		
(e.1) Barbara McClanahan P.O. Box 407 Grundy, VA 24641	0.419 acres 1/30 of 12.56 acres	0.7137%
(e.2) Jeffery Coleman HCR72 Box 438 Conaway, VA 24603	0.419 acres 1/30 of 12.56 acres	0.7137%
(f) Russell Stiltner Heirs, Devisees, Successors or Assigns		
(f.1) Betty L. Stiltner P.O. Box 30 Maxie, VA 24628	0.698 acres 1/18 of 12.56 acres	1.1895%
(f.2) Patricia McClanahan HCR72 Box 61 Big Rock, VA 24603	0.035 acres 1/360 of 12.56 acres	0.0595%
(f.3) Russell Stiltner, Jr. 1201 Cowpasture River Rd. S Head Waters, VA 24442	0.035 acres 1/360 of 12.56 acres	0.0595%
(f.4) Tonya Stiltner 6365 Wildwood Trail Denver, NC 28037	0.035 acres 1/360 of 12.56 acres	0.0595%
(f.5) Tammy Stiltner HCR72 Box 61 Big Rock, VA 24603	0.035 acres 1/360 of 12.56 acres	0.0595%

INSTRUMENT #110002354
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
SEPTEMBER 27, 2011 AT 03:10PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLB

10

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Friday, October 07, 2011 9:19 AM
To: Hagy, Sharon (DMME)
Subject: Status Change for Transaction X3N0W8ZIKM8X28WX

Sharon Hagy,

The status for your job id X3N0W8ZIKM8X28WX, has changed to 'gloria.clark@dmme.virginia.gov downloaded the file(s) '.

You can view your job here

<<https://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=X3N0W8ZIKM8X28WX>> .

Date: Thu, Oct 6, at 16:52

Transaction Details:

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

Recipient's Email example- user1@virginia.gov, user2@virginia.gov:

AnitaDuty@consolenergy.com,gloria.clark@dmme.virginia.gov,hilareymullins@consolenergy.c

om

Message - Describe file attachment: See the recorded dockets: 0942-01 1258 1778 2523 2595 2599 2755 Thank you, Sharon

Notify me when the file is downloaded?: Yes

Pin: 27747

Files:

1258_Supplemental-Original.tif
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