

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

**AMENDED** SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 10-0420-2690 & 10-0420-2690-01

ELECTIONS: Horizontal Drilling Unit G80SH (*Wells G80SH and G80ASH*)  
(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 March 16, 2011 which was recorded at Document 110000822 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on April 4, 2011, (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 G80SH:

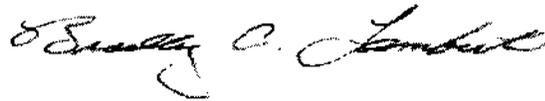
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company, 38 E. Valley Drive, Bristol, VA 24201, Attn: Dobbie 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 15 day of October, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

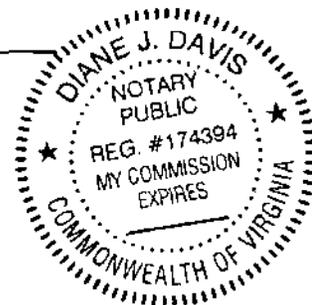
DONE AND PERFORMED this 15 day of October, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 15<sup>th</sup> day of Oct. 2013 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.

  
Diane J. Davis, Notary Public  
174394

My Commission expires: September 30, 2017

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Pooling of Interests and Establishment of Horizontal Drilling Unit G80SH VGOB 10-0420-2690 and 10-0420-2690-01 in the Rock Lick 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 March 16, 2011, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned Horizontal Drilling 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 April 4, 2011;

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 oil and gas rights, interests and claims to Applicant, all as provided in the Board's Order of July 30, 2010;

See attached Exhibit B-3 (100% Leased)

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:

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:

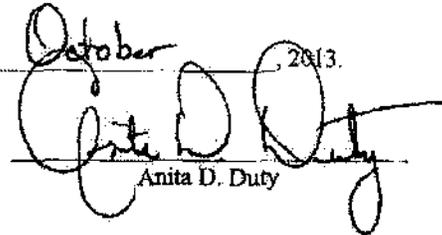
Norfolk Southern Railway Company

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 4<sup>th</sup> day of October, 2013.

  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

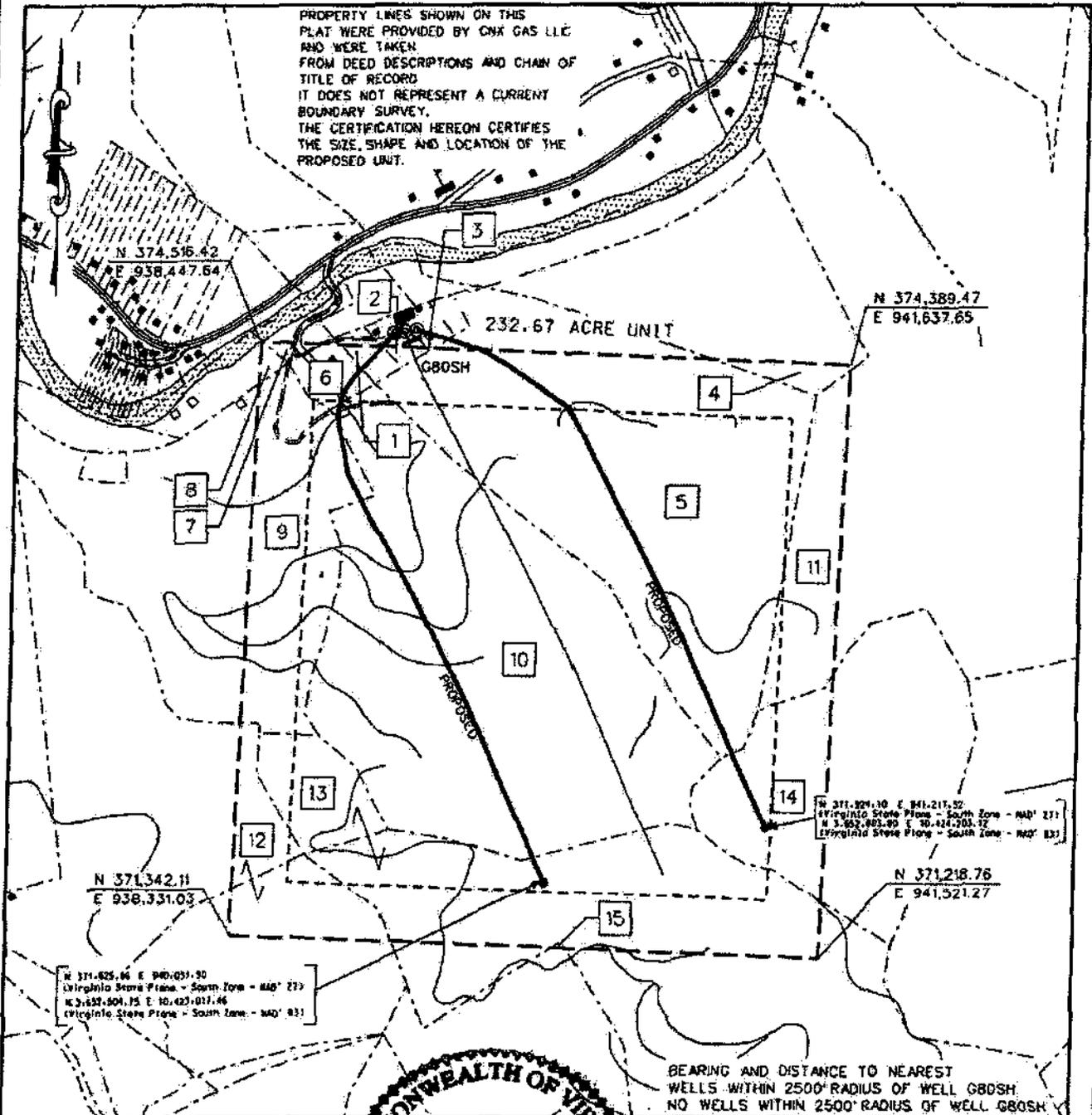
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 4<sup>th</sup> day of October, 2013.

  
Notary

My commission expires: Apr. 19, 2023.



PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY CNX GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE OF RECORD. IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE SIZE, SHAPE AND LOCATION OF THE PROPOSED UNIT.



BEARING AND DISTANCE TO NEAREST WELLS WITHIN 2500' RADIUS OF WELL G80SH. NO WELLS WITHIN 2500' RADIUS OF WELL G80SH.

- CBM WELL
- ⊙ PROPOSED HORIZONTAL WELL
- ⊕ PROPOSED CBM WELL

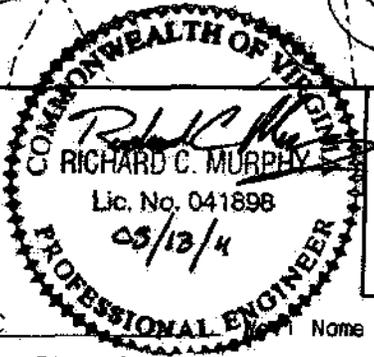


EXHIBIT A  
 NORA FIELD  
 UNIT G80SH  
 PROVISIONAL  
 HORIZONTAL DRILLING UNIT  
 VGOB-10-0420-2690-01

Company CNX Gas Company LLC Name and Number UNIT G80SH  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle HARMAN  
 County BUCHANAN District ROCK LICK Scale: 1" = 800' Date \_\_\_\_\_  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DCO-GO-7 Richard C. Murphy (Affix Seal)  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC  
UNIT G80SH  
Tract Identifications  
(232.67 Acre Tract)**

1. CNX Gas Company LLC – Fee  
0.82 acres 0.3524%
2. CNX Gas Company LLC – Fee  
0.35 acres 0.1504%
3. CNX Gas Company LLC – Fee  
0.01 acres 0.0043%
4. CNX Gas Company LLC (24.63 Acre Tract) – Fee  
1.53 acres 0.6576%
5. CNX Gas Company LLC (60 Acre Tract) – All Minerals  
Theresa Necessary, et al – Surface  
60.35 acres 25.9380%
6. CNX Gas Company LLC (75.25 Acre Tract) – Fee  
77.45 acres 33.2875%
7. Norfolk Western Railway Company – Fee  
0.39 acres 0.1676%
8. Norfolk Western Railway Company – Fee  
0.39 acres 0.1676%
9. CNX Gas Company LLC (48.67 Acre Tract) – All Minerals  
Town of Grundy Industrial Development Authority – Surface  
19.35 acres 8.3165%
10. CNX Gas Company LLC (98.70 Acre Tract) – All Minerals  
Unknown Surface Owner  
0.03 acres 0.0129%
11. Bull Creek Coal Co, LP (113.30 Acre Tract) – All Minerals (33.33%)  
CNX Gas Company LLC – Oil, Gas and CBM Leased (33.33%)  
CNX Gas Company LLC – All Minerals (66.66%)  
Unknown Surface Owner  
10.76 acres 4.6246%
12. CNX Gas Company LLC (94.60 Acre Tract) – All Minerals  
Unknown Surface Owner  
10.09 acres 4.3366%
13. CNX Gas Company LLC (130.20 Acre Tract) – All Minerals  
Mary L. McGlothlin, et al – Surface  
38.52 acres 16.5556%
14. Bull Creek Coal Co., LP (36.09 Acre Tract) – All Minerals (16.667%)  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
CNX Gas Company LLC – All Minerals (83.333%)  
Unknown Surface Owner  
12.63 acres 5.4283%

**(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.)**

**Exhibit B-2**  
**Unit G80SH - Provisional Horizontal Drilling Unit**  
**Docket #VGOB 10-0420-2690-01**  
**List of Unleased Owners/Claimants to be dismissed**  
**(232.67 Acre Unit)**

		Acres in Unit	Percent of Unit	Reason for Dismissal
<b>1. OIL &amp; GAS OWNERSHIP</b>				
<u>Tract #7, 0.39 acres</u>				
(1)	Norfolk Southern Railway Company	0.39 acres	0.1676%	Leased
	<i>Royalties paid to:</i>			
	Pocahontas Land Corporation			
	Treasurer, Pocahontas Land Corporation			
	P. O. Box 1517			
	Bluefield, WV 24701			
<u>Tract #8, 0.39 acres</u>				
(1)	Norfolk Southern Railway Company	0.39 acres	0.1676%	Leased
	<i>Royalties paid to:</i>			
	Pocahontas Land Corporation			
	Treasurer, Pocahontas Land Corporation			
	P. O. Box 1517			
	Bluefield, WV 24701			

Exhibit B-3  
Unit G80SH - Provisional Horizontal Drilling Unit  
Docket #VGOB 10-0420-2690-01  
List of Unleased Owners/Claimants  
(232.57 Acre Unit)

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Acres in Unit	Percent of Unit
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*This unit is 100% leased*

INSTRUMENT #130002145  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
NOVEMBER 1, 2013 AT 01:36PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: MXB