

1837

3439

BK 1121PG0573

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 10-0615-2737

ELECTIONS: UNIT AA-54
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

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 December 19, 2011, which was recorded at Deed Book 1108, Page 453 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on February 9, 2012, (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 AA-54;

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.

BK1121PG0574

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 14 day of June, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 14th day of June, 2012, by Order of the Board.

Rick Cooper
Rick Cooper
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of June, 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 David E. 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 were authorized to do so.

Diane J. Davis
Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



BK 1121PG0575

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 AA-54
VGOB 10-0615-2737 in the Maiden Springs District of Tazewell 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 Gas Company LLC, 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 December 19, 2011, 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 February 9, 2012;

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 December 19, 2011;

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

BK 1121PG0576

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 18th day of April, 2012.

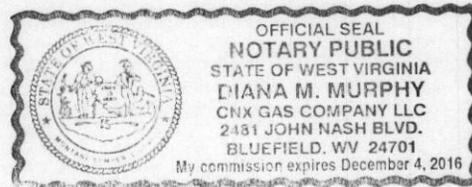
Anita D. Duty
Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

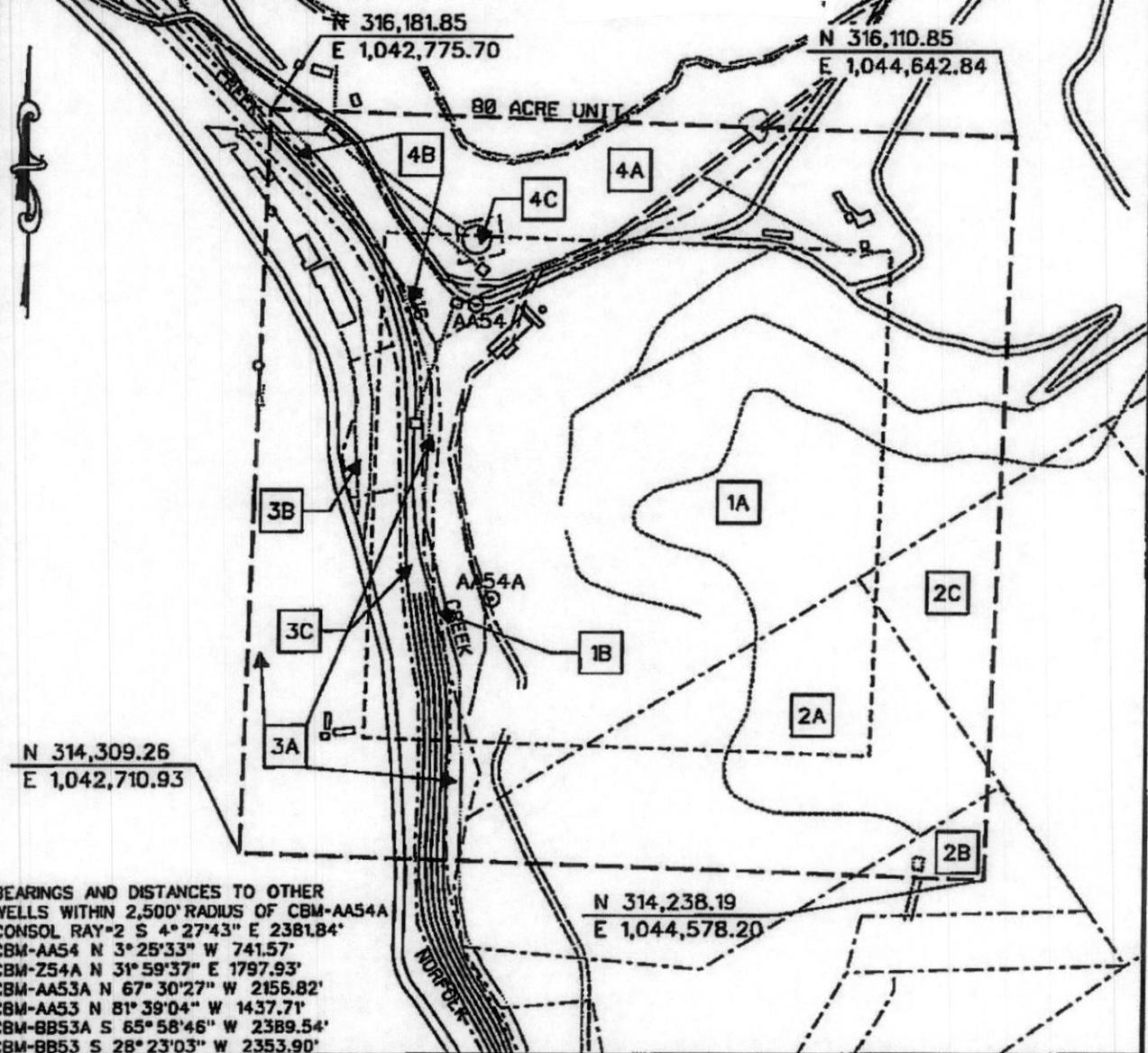
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 18th day of April, 2012.

Diana M. Murphy
Notary

My commission expires: December 4, 2016



Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-AA54A
 CONSOL RAY*2 S 4° 27' 43" E 2381.84'
 CBM-AA54 N 3° 25' 33" W 741.57'
 CBM-Z54A N 31° 59' 37" E 1797.93'
 CBM-AA53A N 67° 30' 27" W 2156.82'
 CBM-AA53 N 81° 39' 04" W 1437.71'
 CBM-BB53A S 65° 58' 46" W 2389.54'
 CBM-BB53 S 28° 23' 03" W 2353.90'

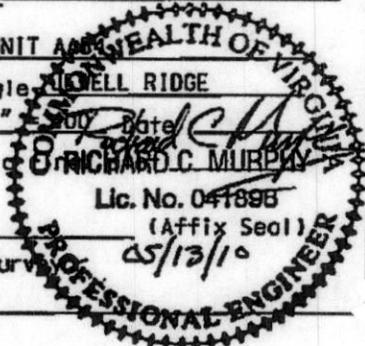
N 314,238.19
 E 1,044,578.20

EXHIBIT A
 OAKWOOD FIELD
 UNIT AA54
 FORCE POOLING
 VGOB-10-0615-2737

Company CNX Gas Company LLC Well Name and Number UNIT AA54
 Tract No. _____ Elevation _____ Quadrangle WELL RIDGE
 County TAZEWELL District MAIDEN SPRINGS Scale: 1" = _____
 This plot is a new plot X ; an updated plot _____ ; or _____

Form DGO-GD-7
 Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor



BK 1121PG0578

CNX Gas Company LLC

UNIT AA-54

Tract Identifications

1. Southern Region Industrial Realty Corp. Tr. 20 (152.50 acre tract) - All Coal except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – Coal Owner's claim to CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
Penn Virginia Oil and Gas Corporation – Oil, Gas and CBM except CBM in P-3
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
(Tax Map 67A Parcel 36)
36.89 Acres 46.1125%

- 1A. Southern Region Industrial Realty Corporation – Surface
Appalachian Forests A, LLC – Timber
- 1B. Norfolk Southern Railway Company – Surface

- 2A. Southern Region Industrial Realty Corp. Tract 19 (100 acre tract) - All Coal except P-3 Seam
Penn Virginia Oil and Gas Corporation – Coal Owner's Claim to CBM
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
Massey Energy – Surface, Oil and Gas
(Tax Map 67A Parcel 15)
12.68 Acres 15.8500%

- 2B. Southern Region Industrial Realty Corp. Tract 19 (100 acre tract) - All Coal except P-3 Seam
Penn Virginia Oil and Gas Corporation – Coal Owner's Claim to CBM
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
Massey Energy – Surface, Oil and Gas
(Tax Map 67A Parcel 19)
0.79 Acres 0.9875%

- 2C. Southern Region Industrial Realty Corp. Tract 19 (100 acre tract) - All Coal except P-3 Seam
Penn Virginia Oil and Gas Corporation – Coal Owner's Claim to CBM
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – Oil and Gas
Reserve Coal Properties Company – Surface
(Tax Map 67A Parcel 31)
2.79 Acres 3.4875%

(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.)

6

BK 1121PG0579

CNX Gas Company LLC

UNIT AA-54

Tract Identifications

3. Southern Region Industrial Realty Corp. Tr. 1 (4430.00 acre tract) - All Coal except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – Coal Owner's Claim to CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
Penn Virginia Oil and Gas Corporation – Oil, Gas and CBM except CBM in P-3
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
(Tax Map 105 Parcel 30)
17.67 Acres 22.0875%
- 3A. Southern Region Industrial Realty Corporation – Surface
Appalachian Forests A, LLC – Timber
- 3B. Unknown Surface Owner
- 3C. Norfolk Southern Railway Company – Surface
4. Southern Region Industrial Realty Corp., Tr. 22 (207.20 Acre Tract) – All Coal except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam
CNX Gas Company LLC – Coal Owner's claim to CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased
Penn Virginia Oil and Gas Corporation – Oil, Gas and CBM except CBM in P-3
CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)
(Tax Map 67A Parcel 34)
9.18 Acres 11.4750%
- 4A. Southern Region Industrial Realty Corporation – Surface
Appalachian Forests A, LLC – Timber
- 4B. Norfolk Southern Railway Company – Surface
- 4C. Unknown Surface Owner

(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-3
Unit AA-54
Docket # VGOB 10-0615-2737
List of Unleased Owners/Claimants
(80.00 Acre Unit)

BK 1121PG0580

	Acres in Unit	Percent of Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #2A, 12.68 acres</u>		
(1) Massey Energy P. O. Box 519 Raven, VA 24639	12.68 acres	15.8500%
<u>Tract #2B, 0.79 acres</u>		
(1) Massey Energy P. O. Box 519 Raven, VA 24639	0.79 acres	0.9875%

Exhibit E
Unit AA-54
Docket # VGOB 10-0615-2737 BK 1121PG0581
List of Conflicting Owners/Claimants that require escrow
(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
--	---------------	-----------------

Tract #2A, 12.68 acres

COAL OWNERSHIP

(1) Southern Region Industrial Realty Corp. (Coal except P3 Seam) <i>Tr. 19 (100.00 acre tract)</i> Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	12.68 acres	15.8500%
---	-------------	----------

Coal Owners Claim to CBM except P3 Seam:

Penn Virginia Oil & Gas Corporation *
P. O. Box 102904
Atlanta, GA 30368-2904

White Wolf Energy, Inc. *
300 Corporate Centre Drive
Scott Depot, WV 25660
(previously Anker Virginia Mining Company, Inc.)

* According to the agreement between the parties named above, they will split the CBM royalties 50/50.

OIL & GAS OWNERSHIP

(1) Massey Energy P. O. Box 519 Raven, VA 24639	12.68 acres	15.8500%
---	-------------	----------

Tract #2B, 0.79 acres

COAL OWNERSHIP

(1) Southern Region Industrial Realty Corp. (Coal except P3 Seam) <i>Tr. 19 (100.00 acre tract)</i> Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.79 acres	0.9875%
---	------------	---------

Coal Owners Claim to CBM except P3 Seam:

Penn Virginia Oil & Gas Corporation *
P. O. Box 102904
Atlanta, GA 30368-2904

White Wolf Energy, Inc. *
300 Corporate Centre Drive
Scott Depot, WV 25660
(previously Anker Virginia Mining Company, Inc.)

* According to the agreement between the parties named above, they will split the CBM royalties 50/50.

OIL & GAS OWNERSHIP

(1) Massey Energy P. O. Box 519 Raven, VA 24639	0.79 acres	0.9875%
---	------------	---------

Exhibit E
Unit AA-54
Docket # VGOB 10-0615-2737
List of Conflicting Owners/Claimants that require escrow
(80.00 Acre Unit)

BK 1121PG0582

	Acres in Unit	Percent of Unit
--	---------------	-----------------

Tract #2C, 2.79 acres

COAL OWNERSHIP

(1) Southern Region Industrial Realty Corp. (Coal except P3 Seam) Tr. 19 (100.00 acre tract) Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	2.79 acres	3.4875%
--	------------	---------

Coal Owners Claim to CBM except P3 Seam:

Penn Virginia Oil & Gas Corporation *
P. O. Box 102904
Atlanta, GA 30368-2904

White Wolf Energy, Inc. *
300 Corporate Centre Drive
Scott Depot, WV 25660
(previously Anker Virginia Mining Company, Inc.)

* According to the agreement between the parties named above, they will split the CBM royalties 50/50.

OIL & GAS OWNERSHIP

(1) CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	2.79 acres	3.4875%
--	------------	---------

INSTRUMENT #120003439
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
OCTOBER 5, 2012 AT 10:36AM

Angela Ray
JAMES E. BAEVINS, CLERK
RECORDED BY: ADR

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Monday, October 15, 2012 12:02 PM
To: Hagy, Sharon (DMME)
Subject: New Transaction 1RSA3TQ2FJF2QBJP-0002

Transaction details for Sharon Hagy(user shagy_1) _____

Job Id: 1RSA3TQ2FJF2QBJP-0002

Date: Mon, Oct 15, at 12:01

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.com

Message - Describe file attachment: Please see the recorded orders for the following: 1829
2347 2737 3063 Let me know if you are unable to download the files. Thank you, Sharon
Notify me when the file is downloaded?: Yes
Pin: 923111

Files:

- 1829_Pooling-Original.tif
- 2347_Supplemental-Original.tif
- 2737_Supplemental-Original.tif
- 3063_Pooling-Original.tif

View details here

<http://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=1RSA3TQ2FJF2QBJP>

Total Estimated File Size: 1486 KB

Total Number of Files: 4

Estimated Upload Time: 00:01:03