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VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 10-0921-2812

ELECTIONS: HORIZONTAL DRILLING UNIT U-3
(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 November 29, 2011 which was recorded at Document 110003068 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 15, 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 Horizontal Drilling Unit U-3;

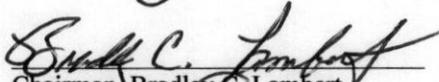
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 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.

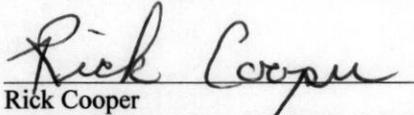
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

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

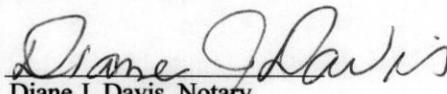

Chairman, Bradley C. Lambert

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


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 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 were authorized to do so.


Diane J. Davis, Notary
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 Horizontal Drilling Unit U-3, VGOB 10-0921-2812 in the Prater 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 November 29, 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 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 December 15, 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:

Participating Operator (Option 9.1)- Russell W. Gambill

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 November 29, 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:

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:

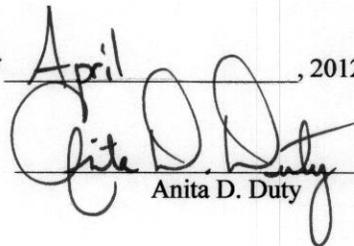
None

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.

See attached Exhibit EE

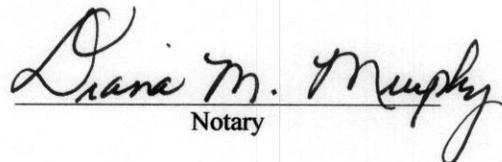
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 20th day of April, 2012.

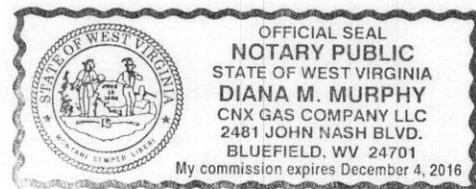

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

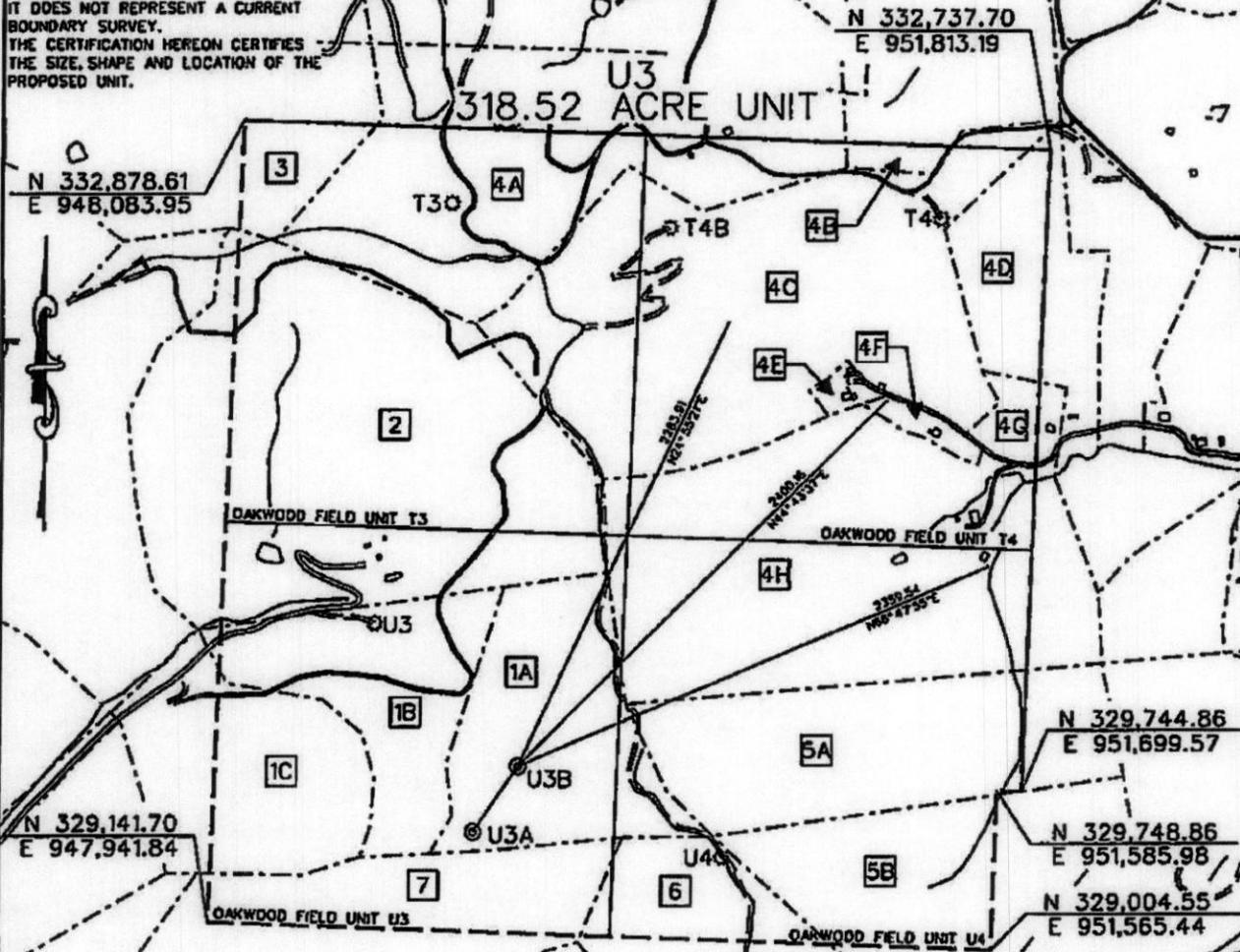
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 20th day of April, 2012.


Notary

My commission expires: December 4, 2016



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.

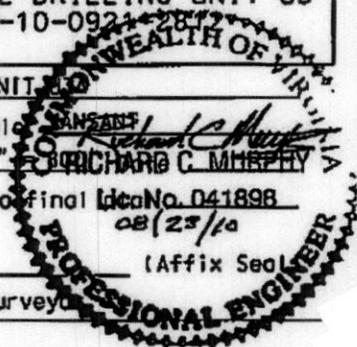


BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-U3B
 CBM-U3 N 45° 16' W 941.87'
 CBM-U2 N 79° 36' 19" W 1653.82'
 CBM-V3 S 15° 40' 46" W 1568.07'
 CBM-V4 S 35° 6' 31" E 2267.01'
 CBM-U4 S 65° 34' 29" E 1034.51'

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

EXHIBIT A
 OAKWOOD FIELD
 PROVISIONAL
 HORIZONTAL DRILLING UNIT U3
 VGOB-10-0921-287

Company CNX Gas Company LLC Well Name and Number UNIT U3
 Tract No. _____ Elevation _____ Quadrangle SANSBEE
 County BUCHANAN District PRATER Scale: 1" = 400'
 This plat is a new plat X ; an updated plat _____ ; or original Ida No. D41898
 Form DGO-GO-7 Richard C. Murphy (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT U3
Tract Identifications
(318.52 Acre Unit)

1. **Levisa Coal Company Tr. 28 (87.24 Acre Tract) – Coal**
Jewell Smokeless Coal Corporation – Above Drainage Coal Leased
John W. Pobst, Jr., et al. - Oil and Gas
Range Resources – Appalachia, LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
54.20 acres 17.0162%

- 1A. **Paul Coleman, et ux - Surface**
- 1B. **Josh V. Armes, et al - Surface**
- 1C. **Josh V. Armes, et al - Surface**

2. **Levisa Coal Company Tr. 17 (230.56 Acre Tract) – Coal**
Jewell Smokeless Coal Corporation – Above Drainage Coal Leased
John W. Pobst, Jr., et al. - Oil and Gas
Range Resources – Appalachia, LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Josh V. Armes, et al – Surface
52.31 acres 16.4228%

3. **Levisa Coal Company, Tr. 16 (128.71 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
John W. Pobst, Jr., et al. – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
United Coal Company, et al – Surface
4.99 acres 1.5666%

4. **Levisa Coal Company, Tr. 18 (233.37 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
John W. Pobst, Jr., et al. – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
146.22 acres 45.9061%

- 4A. **Unknown Surface Owner**
- 4B. **Unknown Surface Owner**
- 4C. **Jennings E. Boyd, et al - Surface**
- 4D. **Albert E. Horn, et ux - Surface**
- 4E. **CNX Gas Company LLC - Surface**
- 4F. **Kenneth Elswick, et ux - Surface**
- 4G. **Unknown Surface Owner**
- 4H. **William E. Stiltner, et ux - Surface**

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

66

CNX Gas Company LLC
UNIT U3
Tract Identifications
(318.52 Acre Unit)

- 5A. **Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
William E. Stiltner, et ux - Surface, Oil and Gas
Harrison-Wyatt, LLC (50%) / William Stiltner, et ux (50%) – CBM
CNX Gas Company LLC – CBM Leased (50%)
23.42 acres 7.3528%
- 5B. **Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
Russell W. Gambill – Surface, Oil and Gas
Harrison-Wyatt, LLC (50%) / Russell W. Gambill (50%) – CBM
CNX Gas Company LLC – CBM Leased (50%)
14.94 acres 4.6904%
6. **Levisa Coal Company, Tr. 30 (24 of 75.75 acre Tract) – Coal**
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
D. Ralph Thacker, et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (55.55%)
Range Resources – Appalachia, LLC – Oil and Gas Leased (22.21%)
D. Ralph Thacker – Surface
8.55 acres 2.6843%
7. **Levisa Coal Company, Tr. 29 (143.48 Acre Tract) – Coal**
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
John W. Pobst, Jr., et al. – Oil and Gas
Range Resources – Appalachia, LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
Paul R. Coleman, et ux – Surface
13.89 acres 4.3608%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-3
Provisional Horizontal CBM Drilling Unit U3 (Units T3, T4, U3, & a portion of U4)
VGOB Docket #10-0921-2812
List of all Unleased Owners/Claimants

	Net Acres Acres in Unit	Interest of Unit	Election
II. <u>OIL & GAS OWNERSHIP</u>			
<u>Tract #5A - 23.42 acres</u>			
(1) William E. Stiltner, et ux. 1819 Shortridge Br. Rd. Vansant, VA 24656	23.42 acres	7.3528%	Deemed Leased
<u>Tract #5B - 14.94 acres</u>			
(1) Russell W. Gambill 974 Vannoy Road Millers Creek, NC 28651	14.94 acres	4.6904%	Participating Operator



Exhibit E
Provisional Horizontal Drilling Unit U3 (Units T3, T4, U3, & a portion of U4)
VGOB Docket #10-0921-2812
List of Conflicting Owners/Claimants that Require Escrow

Net Acres Acres in Unit	Interest of Unit
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All conflicts resolved

INSTRUMENT #120001584
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 7, 2012 AT 11:38AM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLB

9

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Thursday, January 31, 2013 7:49 AM
To: Hagy, Sharon (DMME)
Subject: Status Change for Transaction X3RNIV2NXB1CRZTH

Sharon Hagy,

The status for your job id X3RNIV2NXB1CRZTH, has changed to 'hilareymullins@consolenergy.com downloaded all the files '.

You can view your job here

<<https://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=X3RNIV2NXB1CRZTH>> .

Date: Wed, Jan 30, at 16:29

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, hilareymullins@consolenergy.com

Message - Describe file attachment: Per your request from Diane - Please see the recorded supplemental orders: 0777-02 1150 1242 1581 1582 1647 1693 2777 2812 2995 2996 3000 3001 3002 3005 3008 Let me know if you are unable to download the files. Thank you, Sharon

sharon.hagy@dmme.virginia.gov

Notify me when the file is downloaded?: Yes

Pin: 057139

Files:

1581_Supplemental-Original.tif
0777-02_Supplemental.tif
1150_Supplemental-Original.tif
2996_Supplemental-Original.tif
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