

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 11-1115-3004-01

ELECTIONS: UNIT ZZZ-31 (*Well ZZZ31*)  
(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 September 18, 2012 which was recorded at Document 130000278 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on February 19, 2013, (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 ZZZ-31;

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: 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.

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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 27 day of February, 2014 by a majority of the Virginia Gas and Oil Board.

*Bradley C. Lambert*

Chairman, Bradley C. Lambert

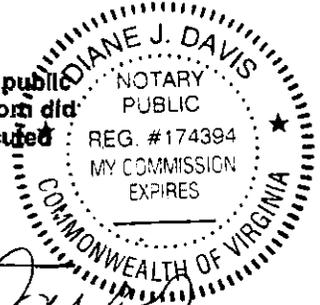
COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 27<sup>th</sup> day of Feb, 2014 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, that he executed the same and was authorized to do so.



My Commission expires: September 30, 2017

*Diane J. Davis*  
Diane J. Davis, Notary Public  
174394  
*Diane J. Davis*



DONE AND PERFORMED this 6 day of March, 2014 by Order of the Virginia Gas and Oil Board.

*Rick Cooper*

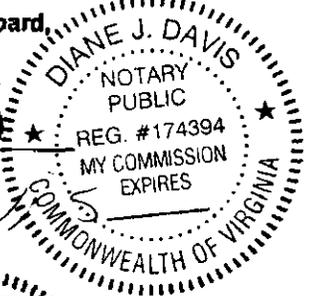
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 6<sup>th</sup> day of March, 2014 personally before me a notary public in and for the Commonwealth of Virginia, 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 he executed the same and was authorized to do so.

*Diane J. Davis*  
Diane J. Davis, Notary Public  
174394  
*Diane J. Davis*

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 Forced Pooling of Interests in Unit ZZZ-31  
VGOB 11-1115-3004-01 in the North Grundy/Garden 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 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 September 18, 2012, 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 February 19, 2013;

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:

*Carried Operator (Option 9.3) - T.G. Rogers, III, Derek Browning Rogers, Kevin Rogers, Shaun Rogers, Jason Poulos and Pamela Poulos*

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 September 18, 2012;

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:

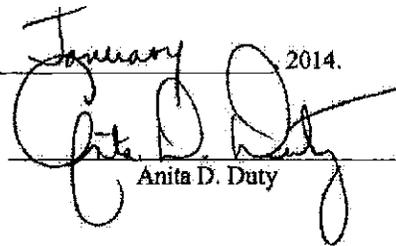
None

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

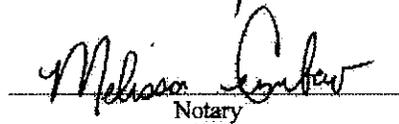
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 30<sup>th</sup> day of January, 2014.

  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

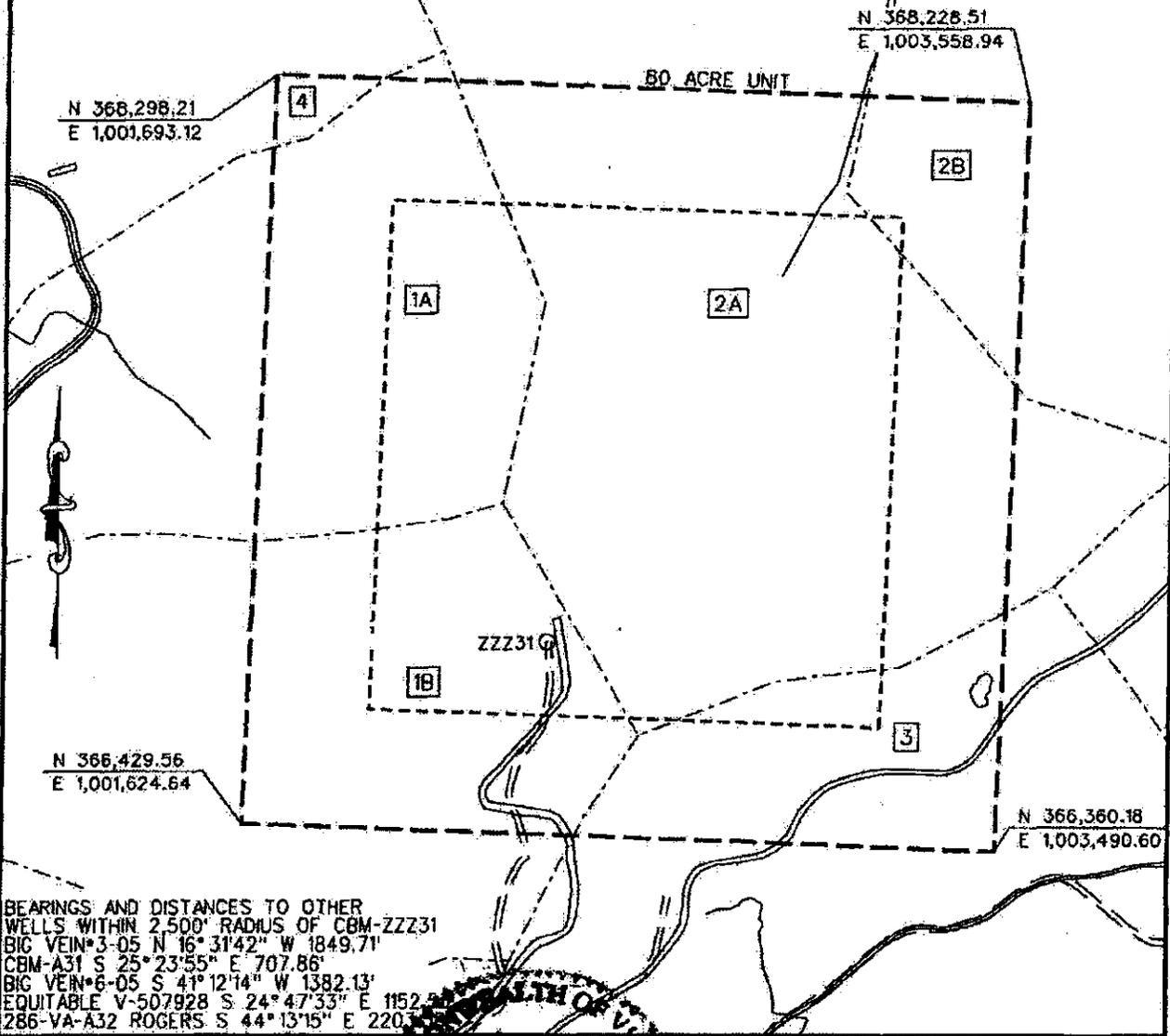
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 30<sup>th</sup> day of January, 2014.

  
Notary

My commission expires: April 9, 2023



Property lines shown on this plat 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-ZZZ31  
 BIG VEIN\*3-05 N 16° 31' 42" W 1849.71'  
 CBM-A31 S 25° 23' 55" E 707.86'  
 BIG VEIN\*6-05 S 41° 12' 14" W 1382.13'  
 EQUITABLE V-507928 S 24° 47' 33" E 1152.5'  
 286-VA-A32 ROGERS S 44° 13' 15" E 220.3'

- ⊙ CBM WELL
- ⊙ PROPOSED CBM WELL

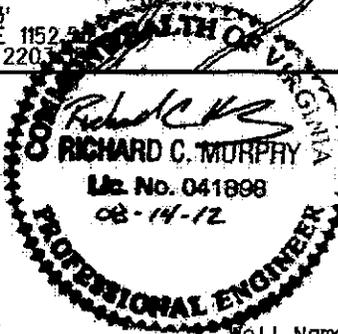


EXHIBIT A  
 DAKWOOD FIELD  
 UNIT ZZZ31  
 FORCE POOLING  
 VGDB-11-1115-3004-01

Company CNX Gas Company LLC Well Name and Number UNIT ZZZ31  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle PATTERSON  
 County BUCHANAN District GARDEN/NORTH GRUNDY Scale: 1" = 400' Date \_\_\_\_\_  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
 Rev. 9/91

*Richard C. Murphy*  
 \_\_\_\_\_  
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

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**CNX Gas Company LLC  
UNIT ZZZ31  
Tract Identifications**

1. William E. Matney, et al (67.71 Acre Tract) – All Minerals  
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased (70.8333%)  
29.47 Acres 36.8375%
- 1A. Ollie Jane Compton - Surface  
1B. CNX Gas Company LLC - Surface
2. Buchanan Realty Company, LLC (100 Acre Tract) – All Minerals  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased  
Range Resources-Appalachia, LLC – Oil and Gas Leased  
CNX Gas Company LLC – CBM Leased  
40.86 Acres 51.0750%
- 2A. Curtis N. Stiltner, et al - Surface  
2B. Curtis N. Stiltner, et al - Surface
3. LBR Holdings, LLC (211.80 Acre Tract) – All Coal  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased  
Reserve Coal Properties Company – P-3 Seam Subleased  
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased  
LBR Holdings, LLC, et al – Oil and Gas  
EQT Production Company – Oil and Gas Leased (75%)  
CNX Gas Company LLC – CBM Leased (Geomet Farmout – Held by Production) (75%)  
Kim Smith, et al - Surface  
9.04 Acres 11.3000%
4. Consolidation Coal Company, et al Big Vein Tr. 2 (128.59 Acre Tract) – Coal  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased  
Highland Resources/North American Resources Corporation, et al – Oil and Gas  
Plum Creek Timberland, et al – CBM  
CNX Gas Company LLC – CBM Leased  
Unknown Surface Owner  
0.63 Acres 0.7875%

"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-2  
Unit ZZZ-31  
VGOB Docket #11-1115-3004-01  
List of all Owners/Claimants to be Added/Dismissed  
(80.00 Acre Unit)

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	Acres in Unit	Percent of Unit	Reason for Dismissal
<b>I. COAL OWNERSHIP</b>			
<u>Tract #1, 29.47 Acres</u>			
William E. Matney, et al. (67.71 Acre Tract - Basil Compton Estate)	29.47 acres	36.8375%	
(1) Minerva Matney Heirs, Devisees, Successors or Assigns			
(a) William Elmer Matney Heirs, Devisees, Successors or Assigns (1/24) <i>(Dismissed for failure to report interest in unit)</i>			
(b) Marie Keen Heirs, Devisees, Successors or Assigns (1/24)			
(b.1) Sylvia Compton 11395 Dismal River Rd. Oakwood, VA 24631	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(c) Arlin D. Matney P.O. Box 1656 Cedar Bluff, VA 24609	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(d) Theodore Matney Heirs, Devisees, Successors or Assigns (1/24) <i>(Dismissed for failure to report interest in unit)</i>			
(d.1) Margaret Matney 190 E Cornell Ave McAllen, TX 78604-5624	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(e) Basil Walter Matney 203 Shannon Heights Richlands, VA 24641	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(f) Otis Matney Heirs, Devisees, Successors or Assigns (1/24)			
(f.1) Rebecca Bartley P.O. Box 1318 Grundy, VA 24614	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(2) Gertrude Rife Heirs, Devisees, Successors or Assigns (1/4)			
(a) Evalena Rife Mutter P.O. Box 1246 Grundy, VA 24614	7.37 acres 1/4 of 29.47 acres	9.2094%	Leased
(4) Earl D. Compton Heirs, Devisees, Successors or Assigns (1/4)			
(a) Ronald Lacy Compton Heirs, Devisees, Successors or Assigns (1/4)			
(a.1) Ollie Jane Compton 1074 Chestnut Road Pilgrims Knob, VA 24634	7.37 acres 1/4 of 29.47 acres	9.2094%	Leased

**II. OIL & GAS OWNERSHIP**

Tract #1, 29.47 Acres

William E. Matney, et al. (67.71 Acre Tract - Basil Compton Estate)	29.47 acres	36.8375%	
(1) Minerva Matney Heirs, Devisees, Successors or Assigns			

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Exhibit B-2  
 Unit ZZZ-31  
 VGOB Docket #11-1115-3004-01  
 List of all Owners/Claimants to be Added/Dismissed  
 (\$0.00 Acre Unit)

	Acres in Unit	Percent of Unit	Reason for Dismissal
(a) William Elmer Matney Heirs, Devisees, Successors or Assigns (1/24)			
(b) Marie Keen Heirs, Devisees, Successors or Assigns (1/24)			
(b.1) Sylvia Compton 11395 Dismal River Rd. Oakwood, VA 24631	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(c) Arlin D. Matney P.O. Box 1656 Cedar Bluff, VA 24609	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(d) Theodore Matney Heirs, Devisees, Successors or Assigns (1/24)			
(d.1) Margaret Matney 100 E Cornell Ave McAllen, TX 78504-5624	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(e) Basil Walter Matney 203 Shannon Heights Richlands, VA 24641	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(f) Otis Matney Heirs, Devisees, Successors or Assigns (1/24)			
(f.1) Rebecca Bartley P.O. Box 1318 Grundy, VA 24614	1.23 acres 1/24 of 29.47 acres	1.5349%	Leased
(2) Gertrude Rife Heirs, Devisees, Successors or Assigns (1/4)			
(a) Evalena Rife Mutter P.O. Box 1240 Grundy, VA 24614	7.37 acres 1/4 of 29.47 acres	9.2094%	Leased
(4) Earl D. Compton Heirs, Devisees, Successors or Assigns (1/4)			
(a) Ronald Lacy Compton Heirs, Devisees, Successors or Assigns (1/4)			
(a.1) Dillie Jane Compton 1074 Chestnut Road Pilgrims Knob, VA 24634	7.37 acres 1/4 of 29.47 acres	9.2094%	Leased

Exhibit B-3  
Unit Z22-31  
VGOB Docket #11-1115-3004-01  
List of all Unleased Owners/Claimants  
(80.00 Acre Unit)

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	Acres in Unit	Percent of Unit	Election
<b>I. COAL OWNERSHIP</b>			
<u>Tract #1, 29.47 Acres</u>			
William E. Matney, et al. (67.71 Acre Tract - Basil Compton Estate)	29.47 acres	36.8375%	
(1) Minerva Matney Heirs, Deviseses, Successors or Assigns			
(a) William Elmer Matney Heirs, Deviseses, Successors or Assigns (1/24)			
(a.1) Elmer B. Matney 810 Briarcliff Rd., Apt 313 Johnson City, TN 37601	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased
(a.2) Nearvie Darlene Stacy 209 Windham Lane Mars, PA 16046	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased
(a.3) Virginia Woolfer 18 Primrose Drive Spartanburg, NC 29301	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased
(3) Georgia Matney Heirs, Deviseses, Successors or Assigns (1/4)			
(a) Calvin R. Matney P.O. Box 2364 Abingdon, VA 24212	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
(b) Harry Lee Matney 100 Sudie Circle Elizabeth City, NC 27909	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
(c) Timothy S. Matney PO Box 2364 Abingdon, VA 24212	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
<u>TOTAL COAL ESTATE:</u>			
	Acres in Unit Deemed Leased	8.60	
	Percentage of Unit Deemed Leased	10.7443%	

**II. OIL & GAS OWNERSHIP**

Tract #1, 29.47 Acres

William E. Matney, et al. (67.71 Acre Tract - Basil Compton Estate)	29.47 acres	36.8375%	
(1) Minerva Matney Heirs, Deviseses, Successors or Assigns			
(a) William Elmer Matney Heirs, Deviseses, Successors or Assigns (1/24)			
(a.1) Elmer B. Matney 810 Briarcliff Rd., Apt 313 Johnson City, TN 37601	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased
(a.2) Nearvie Darlene Stacy 209 Windham Lane Mars, PA 16046	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased

Exhibit B-3  
Unit ZZZ-31  
VGOB Docket #11-1115-3004-01  
List of all Unleased Owners/Claimants  
(89.06 Acres Unit)

140000726

	Acres in Unit	Percent of Unit	Election
(a.3) Virginia Woofar 18 Primrose Drive Spartanburg, NC 29301	0.41 acres 1/72 of 29.47 acres	0.5116%	Deemed Leased
(3) Georgia Matney Heirs, devisees, Successors or Assigns (1/4)			
(a) Calvin R. Matney P.O. Box 2364 Abingdon, VA 24212	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
(b) Harry Lee Matney 100 Sudie Circle Elizabeth City, NC 27909	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
(c) Timothy S. Matney PO Box 2364 Abingdon, VA 24212	2.46 acres 1/12 of 29.47 acres	3.0698%	Deemed Leased
<b><u>Tract #3, 9.04 Acres</u></b>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	9.04 acres	11.3000%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.28 acres 1/32 of 9.04 acres	0.3531%	Carried Operator
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.28 acres 1/32 of 9.04 acres	0.3531%	Carried Operator
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.28 acres 1/32 of 9.04 acres	0.3531%	Carried Operator
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.28 acres 1/32 of 9.04 acres	0.3531%	Carried Operator
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.38 acres 1/24 of 9.04 acres	0.4708%	Deemed Leased (Election received after 30 day period had expired)
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.38 acres 1/24 of 9.04 acres	0.4708%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.38 acres 1/24 of 9.04 acres	0.4708%	Carried Operator

**TOTAL OIL & GAS ESTATE:**

Acres in Unit Deemed Leased 10.86  
Percentage of Unit Deemed Leased 13.5693%

Exhibit E  
Unit ZZZ-31  
VGOB Docket #11-1115-3004-01  
List of all Conflicting Owners/Claimants that Require Escrow  
(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
<b><u>Tract #3, 9.04 Acres</u></b>		
<i>Only 1/4 of LBR Holdings, LLC interest should be escrowed due to conflicting CBM claim.</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract) P. O. Box 22427 Lexington, KY 40522-2427	9.04 acres 2.26 acres 1/4 of 9.04 acres	11.3000% 2.8250%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	9.04 acres	11.3000%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.28 acres 1/32 of 9.04 acres	0.3531%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.28 acres 1/32 of 9.04 acres	0.3531%
(d) Kevin Rogers 139 Wickham Road Garden City, NY 11530	0.28 acres 1/32 of 9.04 acres	0.3531%
(e) Shaun Rogers 121 NE 100th Street Miami Shores, FL 33138	0.28 acres 1/32 of 9.04 acres	0.3531%
(f) Gregory Poulos 1884 Glenwood Street, NE Palm Bay, FL 32907-2423	0.38 acres 1/24 of 9.04 acres	0.4708%
(g) Jason Poulos 10870 SW 95 <sup>th</sup> Street Miami, FL 33176	0.38 acres 1/24 of 9.04 acres	0.4708%
(h) Pamela Poulos 5000 SW 83 <sup>rd</sup> Street Miami, FL 33143-8510	0.38 acres 1/24 of 9.04 acres	0.4708%
<b><u>TOTAL CONFLICTS:</u></b>		
	Conflicting Acreage In Unit 2.26	Conflicting Percentage of Unit 2.8250%

INSTRUMENT #140000726  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
MAY 2, 2014 AT 01:05PM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: MXB