

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER – VACATE ORDER
VGOB 99-0518-0721

ELECTIONS: UNIT O-45 (*Wels O45 & O45A*)
(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 June 28, 1999, which was recorded at Deed Book 494, Page 64 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 2, 1999, (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 O-45;

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 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.

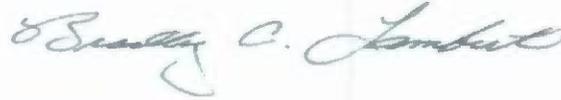
160001917

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 30 day of September, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

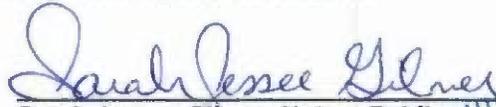
DONE AND PERFORMED this 30 day of September, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 30th day of September, 2016, 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.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 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 O-45
VGOB 99-0518-0721 in the 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 June 28, 1999, 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 July 2, 1999;

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 June 28, 1999;

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:

See attached Exhibit E – Escrow no longer required

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 (All unleased owners dismissed in S. Order executed 11/23/1999)

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:

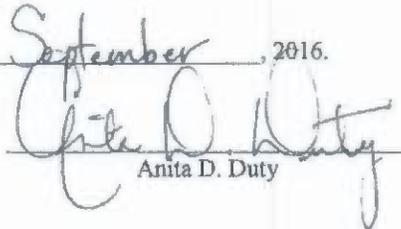
None

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.

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 Claypool Hill, Virginia, this 27th day of September, 2016.


Anita D. Duty

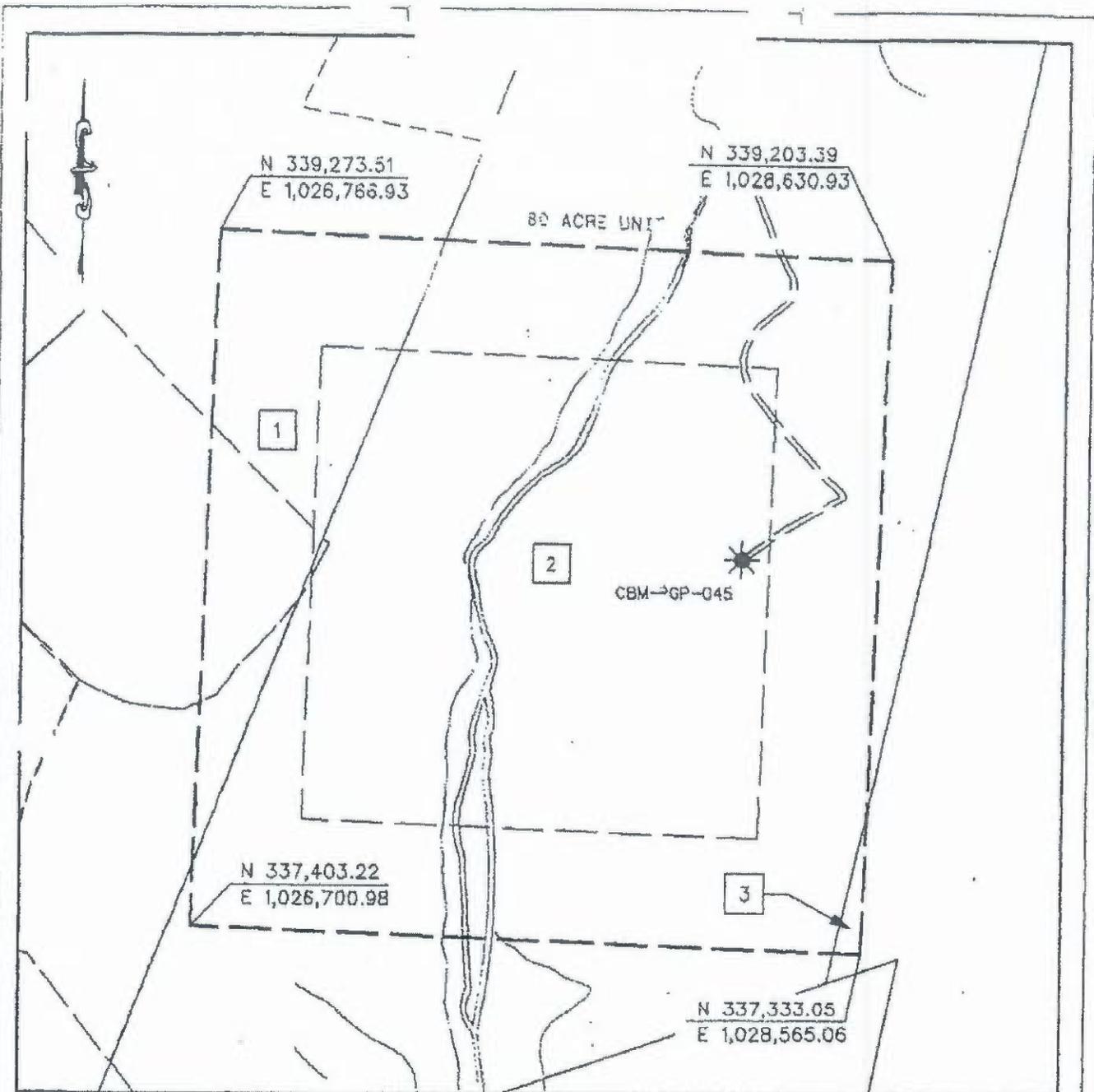
STATE OF WEST VIRGINIA
COUNTY OF MERCER

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 27th day of September, 2016.


Notary
Commission ID 7215200

My commission expires: August 31, 2020

Commonwealth of Virginia
Jeffrey A. Simmons - Notary Public
Commission ID: 7215200
My Commission Expires 08/31/2020



LEGEND

- TRACT LAND HOOK
- TRACT LAND ID'S

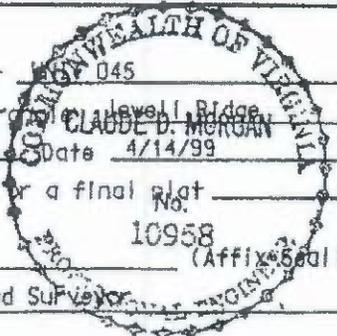
EXHIBIT A
 OAKWOOD FIELD UNIT O-45
 FORCE POOLING
 VGOB-99-0518-0721

Company Pocahontas Gas Partnership Well Name and Number GP 045
 Tract No. _____ Elevation _____ Quadrant Level Ridge
 County Buchanan District Garden Scale: 1" = 400' Date 4/14/99
 This plat is a new plat X; an updated plat _____; or a final plat _____

Form DGO-60-7
 Rev. 9/91

Claude D. Morgan

Licensed Professional Engineer or Licensed Land Surveyor



POCAHONTAS GAS PARTNERSHIP
UNIT O-45
Tract Identifications

1. Mary McNeil - Fee
Coal Lessee
None of Record
14.94 acres 18.6750%

2. Ron Clyborne Tr 1 - Coal Above Jawbone Seam, Oil & Gas
Reserve Coal Properties - Coal Jawbone Seam and Below
Coal Lessees
Jewell Ridge Coal Corp.- Jawbone Seam and above
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Leased
Reserve Coal Properties - Surface
64.54 acres 80.6750%

3. Ron Clyborne Tr 2 - Coal Above Jawbone Seam, Oil & Gas
Reserve Coal Properties - Coal Jawbone Seam and Below
Coal Lessees
Jewell Ridge Coal Corp.- Jawbone Seam and above
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Leased
Reserve Coal Properties - Surface
0.52 acres 0.6500%

Exhibit B-3
Unit O-45
Docket # VGOB - 99-0518-0721
List of Unleased Owners/Claimants

160001917

Acres in Unit

Percent of
Unit

This unit is 100% leased

Exhibit E
Unit O-45
Docket # VGOB - 99-0518-0721
List of all Respondents in Escrow

160001917

Acres in Unit Percent of
Unit

Escrowing no longer required

Exhibit EE
UNIT O-45
Docket # VGOB - 99-0518-0721
List of all Owners/Claimants with Royalty Splits/Court Orders/HB2058

160001917

	Acres in Unit	Percent of Unit
<u>Tract #2, 64.54 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC <i>(previously Reserve Coal Properties Company)</i> 1000 Consol Energy Dr. Canonsburg, PA 15317-6506 <i>(Coal in Jawbone seam & below)</i>	64.54 acres	80.6750%
<u>OIL & GAS OWNERSHIP</u>		
(1) Clyborne Capital LLC <i>(121 Acre Tract)</i> 9325 Olympic View Drive Edmonds, WA 98020	64.54 acres	80.6750%
<u>Tract #3, 0.52 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC <i>(previously Reserve Coal Properties Company)</i> 1000 Consol Energy Dr. Canonsburg, PA 15317-6506 <i>(Coal in Jawbone seam & below)</i>	0.52 acres	0.6500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Clyborne Capital LLC <i>(121 Acre Tract)</i> 9325 Olympic View Drive Edmonds, WA 98020	0.52 acres	0.6500%

INSTRUMENT #160001917
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
OCTOBER 25, 2016 AT 09:23AM

BEVERLY S. TILLER, CLERK
RECORDED BY: VAH