

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 02-1119-1093-02

ELECTIONS: UNIT K-37 (*Wells K37, K37A, K37B, K37C, & K37D*)
(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, 2018 which was recorded at Instrument 180001318 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 9, 2018, (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 K-37

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.

180001709

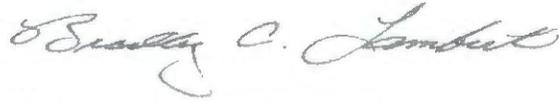
Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests 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.

180001709

DONE AND EXECUTED this 2 day of October, 2018 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

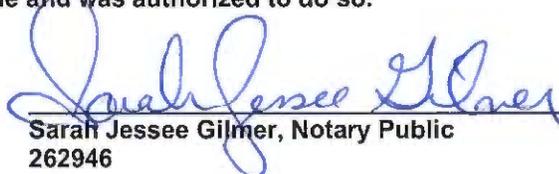
DONE AND PERFORMED this 2 day of October, 2018 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 2nd day of October, 2018, 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, 2021



VIRGINIA:

180001709

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in **Unit K-37**
VGOB 02-1119-1093-02 in the **Garden District** of **Buchanan County**, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Sherri R. Scott, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Resources, Inc., as a Manager – Land Records, Division Orders, & Pooling 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, 2018**, 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 **August 9, 2018**;

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, 2018**;

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, which allows 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 Cedar Bluff, Virginia, this 26 day of September, 2018.

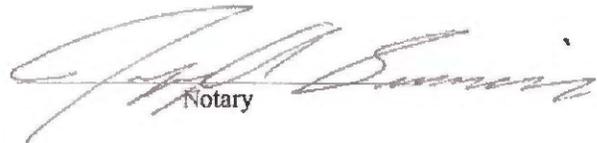


Sherri R. Scott

STATE OF VIRGINIA
COUNTY OF TAZEWELL

Taken, subscribed and sworn to before me by Sherri R. Scott as a Manager – Land Records, Division Orders, & Pooling for CNX Resources

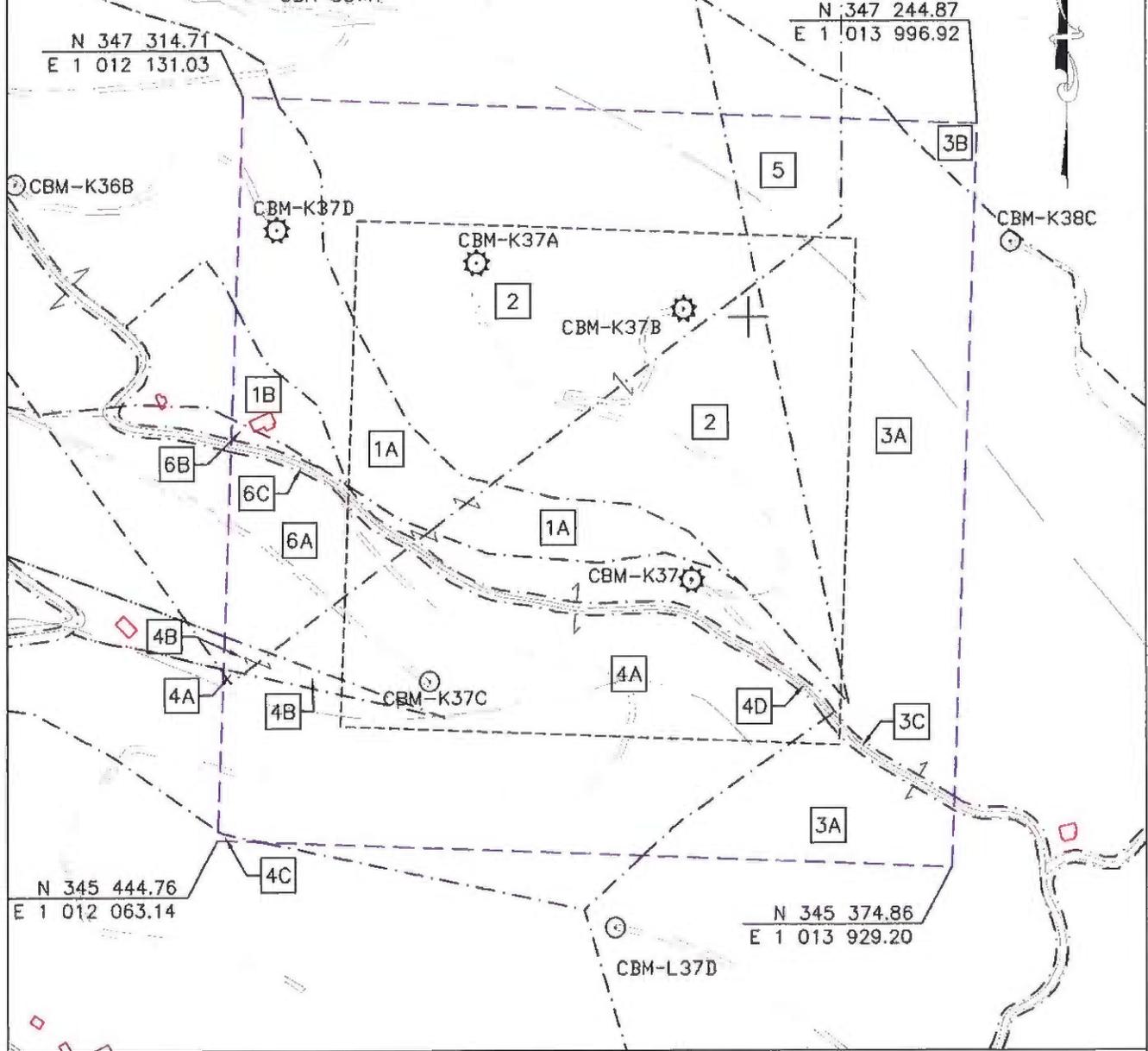
on behalf of the corporate Designated Operator, this 26 day of September, 2018.


Notary

My commission expires: August 31, 2020

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

PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY CNX GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE RECORD. IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.
CBM-J37A



- ☉ CBM WELL
- ◊ PROPOSED CBM WELL



Digitally signed by James R Dills Jr.
DN: c=US, o=D. R. PRICE ENGINEERING AND LAND SURVEYING INC PC, ou=D. R. PRICE ENGINEERING AND LAND SURVEYING INC PC, cn=James R Dills Jr., 0.9.2342.19200300.100.1.1=A010969000 0012E01701153000027EA
Date: 2018.05.15 15:52:41 -04'00'

EXHIBIT A
OAKWOOD FIELD
UNIT K37
FORCE POOLING
VGOB-02-1119-1093-02

Company CNX GAS COMPANY, LLC Well Name and Number UNIT K37
 Tract No. _____ Elevation _____ Quadrangle KEEN MOUNTAIN
 County BUCHANAN District GARDEN Scale: 1" = 400' Date 5-15-18
 This plat is a new plat _____ ; an updated plat X ; or a final plat _____

Form DGO-GO-7 _____ (Affix Seal)
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC
UNIT K 37
Tract Identifications

180001709

1. Buck Jewell Resources, LLC (100 Acre Tract) – All Minerals except Coal in Jawbone Seam
Revelation Energy, LLC – Jawbone Seam
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Appalachian Energy – Oil and Gas Leased
Appalachian Energy – CBM Leased (CNX deemed leased via JOA)
8.65 Acres 10.8125%
- 1A. Buck Jewell Resources, LLC – Surface
- 1B. Unknown Surface Owner
2. Caroline Cole Keen, et al (164.56 Acre Tract) – All Minerals (Except Jawbone Seam & 1/9 In P-3 Seam)
Buchanan Mining Company LLC – 1/9 Int. in P-3 Seam
Revelation Energy, LLC - Jawbone Seam
Buchanan Mining Company LLC - Below Drainage Coal Leased
Revelation Energy, LLC - Above Drainage Coal Leased
Appalachian Energy – Oil and Gas Leased (85.00412%)
Appalachian Energy – CBM Leased (78.74074%) (CNX deemed leased via JOA)
CNX Gas Company LLC - CBM Leased (2.05761%)
Caroline Cole Keen, et al – Surface
25.14 Acres 31.4250%
3. Buchanan Mining Company LLC, et al, Big Vein Tract 32 (442.57 Acre Tract) – Coal
Island Creek Coal Company – Coal Below Tiller Seam Leased
Buchanan Mining Company LLC – P3 Seam Sub-leased
Revelation Energy, LLC – Tiller and Above Coal Leased
Weyerhaeuser NR Company, et al – Oil and Gas
Weyerhaeuser Company (1/3) – CBM
CNX Gas Company LLC – CBM Leased
18.55 Acres 23.1875%
- 3A. Unknown Surface Owner
- 3B. Unknown Surface Owner
- 3C. Unknown Surface Owner
4. Buchanan Mining Company LLC, et al, Big Vein Tract 50 (340.34 Acre Tract) – Coal
Island Creek Coal Company – Coal Below Tiller Seam Leased
Buchanan Mining Company LLC – P3 Seam Sub-leased
Revelation Energy, LLC – Tiller and Above Coal Leased
Weyerhaeuser NR Company, et al – Oil and Gas
Weyerhaeuser Company (1/3) – CBM
CNX Gas Company LLC – CBM Leased
21.75 Acres 27.1875%
- 4A. Shaw Honaker Heirs, et al – Surface
- 4B. Allen Keen – Surface
- 4C. Unknown Surface Owner
- 4D. 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 coal bed methane ownership and should not be relied upon for such purpose."

UNIT K 37**Tract Identifications**

5. Buchanan Mining Company LLC, et al, Big Vein Tract 32 (442.57 Acre Tract) – Coal
Island Creek Coal Company – Coal Below Tiller Seam Leased
Buchanan Mining Company LLC – P3 Seam Sub-leased
Revelation Energy, LLC – Tiller and Above Coal Leased
Weyerhaeuser NR Company, et al – Oil and Gas
Appalachian Energy – Oil and Gas Leased
Weyerhaeuser Company (1/3) – CBM
CNX Gas Company LLC – CBM Leased
Unknown Surface Owner
2.07 Acres 2.5875%

6. Buchanan Mining Company LLC, et al, Big Vein Tract 50 (340.34 Acre Tract) – Coal
Island Creek Coal Company – Coal Below Tiller Seam Leased
Buchanan Mining Company LLC – P3 Seam Sub-leased
Revelation Energy, LLC – Tiller and Above Coal Leased
Weyerhaeuser NR Company, et al – Oil and Gas
Appalachian Energy – Oil and Gas Leased
Weyerhaeuser Company (1/3) – CBM
CNX Gas Company LLC – CBM Leased
3.69 Acres 4.6125%

- 6A. Shaw Honaker Heirs, et al – Surface
- 6B. Unknown Surface Owner
- 6C. Unknown Surface Owner

7. Buchanan Mining Company LLC, et al, Big Vein Tract 50 (340.34 Acre Tract) – Coal
Island Creek Coal Company – Coal Below Tiller Seam Leased
Buchanan Mining Company LLC – P3 Seam Sub-leased
Revelation Energy, LLC – Tiller and Above Coal Leased
Weyerhaeuser NR Company, et al – Oil and Gas
Appalachian Energy – Oil and Gas Leased
Weyerhaeuser Company (1/3) – CBM
CNX Gas Company LLC – CBM Leased
Unknown Surface Owner
0.15 Acres 0.1875%

"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
 Unit K-37
 Docket # VGOB 02-1119-1093-02
 List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
II. <u>OIL & GAS OWNERSHIP</u>		
<u>Tract #2, 25.14 Acres</u>		
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> <i>(164.56 Acre Tract)</i>	25.14 acres	31.4250%
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns		
(d) Leonard P. Cole (1/9) <i>Interest conveyed to B. W. McDonald and Lena McDonald by deed dated 6/14/72 (DB 207-254)</i>		
(d.1) B. W. McDonald Heirs, Devisees, Successors or Assigns		
(d.1.1) B.W. McDonald Testamentary Trust PO Box 999 Prestonsburg, KY 41653	0.838 acres 1/30 of 25.14 acres	1.0475%
(l) Nannie Garnett Cole Cooper Heirs, Devisees, Successors or Assigns (1/9)		
(l.9) Gary L. Cooper Heirs, Devisees, Successors or Assigns (1/8 <i>Pre-deceased Garrett Cole Cooper (mother)</i>)		
(l.9.2) Melanie D. Cooper PO Box 314 Hurley, VA 24620	0.103 acres 1/243 of 25.14 acres	0.1293%
(l.9.3) Corey S. Cooper 4455 Old Lesters Fork Road Grundy, VA 24614	0.103 acres 1/243 of 25.14 acres	0.1293%
(l.9.4) Byron D. Cooper PO Box 252 Vasant, VA 24656	0.103 acres 1/243 of 25.14 acres	0.1293%
<u>Total Unleased O&G Estates</u>		
	Acres	1.1484
	Percent	1.4355%

180001709

Exhibit EE
 Unit K-37
 VGOB 02-1119-1093-02
 Buchanan County, VA
 List of Respondents with Royalty Division Agreement/Court Order/HB2058

	Acres in Unit	Percent of Unit	Percent of Escrow
Tract #2, 25.14 Acres			
COAL OWNERSHIP			
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> <i>(164.56 Acre Tract)</i>	25.14 acres	31.4250%	
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns, et al			
(2) Island Creek Coal Company (1/9 Interest in P3 seam) 10545 Riverside Drive Oakwood, VA 24631	2.7933 acres 1/9 of 25.14 acres	3.4917%	n/a
OIL & GAS OWNERSHIP			
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> <i>(164.56 Acre Tract)</i>	25.14 acres	31.4250%	
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns			
(a) Hassel Cole (1/9) <i>Interest conveyed to Thelma Parks by creditor's suit dated 5/2/64 (DB 161-326)</i>			
(a.1) Thelma Parks - Coal except Jawbone & P3 Seam <i>Interest conveyed to Edith Street and Marion Combs by deed dated 5/7/64 (DB 161-366)</i>			
(a.1.1) Edith G. Street *** P.O. Box 459 Abingdon, VA 24212	1.397 acres 1/18 of 25.14 acres	1.7458%	n/a
(a.1.2) Marion S. Combs Heirs, Devisees, Successors or Assigns (1/18) ***			
(a.1.2.1) Martha E. Combs <i>Interest conveyed to Martha E. Combs Trust, 4/2/2014, Instrument #14-0640</i>			
(a.1.2.1.1) Martha E. Combs Trust Martha E. Combs, Trustee PO Box 1404 Abingdon, VA 24212-1404	0.466 acres 1/54 of 25.14 acres	0.5819%	n/a
(a.1.2.2) Frederick H. Combs II Heirs, Devisees, Successors or Assigns			
(a.1.2.2.1) Fred H. Combs II Testamentary Trust c/o Amy and/or Eric Combs, Trustees PO Box 841 Tazewell, VA 24651	0.466 acres 1/54 of 25.14 acres	0.5819%	n/a
(a.1.2.3) Carol Irvin <i>Conveyed 1/54 interest to CIPL, LP (Instrument 120002651)</i>			
(a.1.2.3.1) CIPL, LP 4710 Hunterwood Circle Richmond, TX 77406	0.466 acres 1/54 of 25.14 acres	0.5819%	n/a
*** NOTE: Edith G. Street, et vir. and Marion S. Combs, et vir. conveyed their interest in the Pacahontas No. 3 seam to Island Creek Coal Company by deed dated 5/25/81 (DB 323-561).			

INSTRUMENT 180001709
 RECORDED IN THE CLERK'S OFFICE OF
 BUCHANAN COUNTY CIRCUIT COURT ON
 October 22, 2018 AT 10:57 AM
 BEVERLY S. TILLER, CLERK
 RECORDED BY: CXE