

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

AMENDED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 06-1114-1772

ELECTIONS: **UNIT BB-30**
 (herein Subject Drilling Unit)

Note: This Order is being Amended to correct the tracts in escrow

REPORT OF BOARDFINDINGS 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 9, 2011** which was recorded at **Instrument 110002419** in the Office of the Clerk of the Circuit Court of **Buchanan** County, Virginia, on **September 30, 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 **Unit BB-30**;

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.

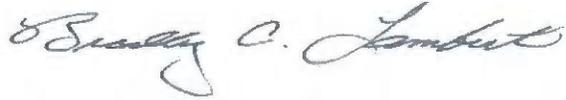
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Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy 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 23 day of March, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 23 day of March, 2017 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 23 day of March, 2017 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.


Sally Settle Ketron, Notary Public
7623162

My Commission expires: January 31, 2019



VIRGINIA:

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Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in **Unit BB-30**
VGOB 06-1114-1772 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 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 **September 8, 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 **September 30, 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:

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 **September 8, 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

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:

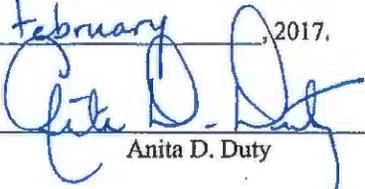
None

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.

None

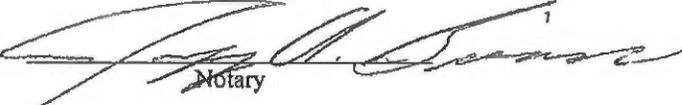
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Pounding Mill, Virginia, this 27th day of February, 2017.


Anita D. Duty

STATE OF VIRGINIA
COUNTY OF TAZEWELL

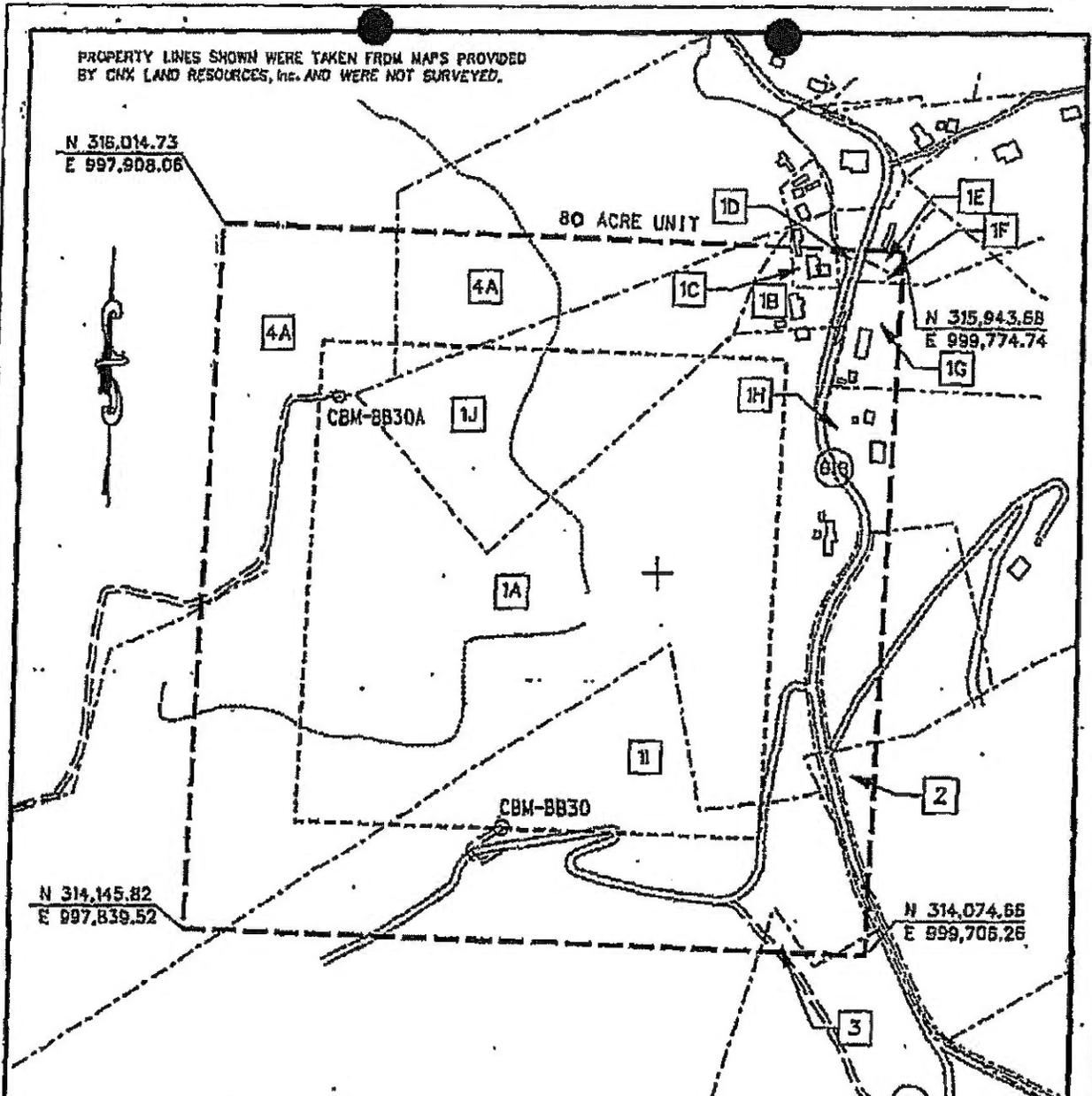
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC on behalf of the corporate Designated Operator, this 27th day of February, 2017.


Notary

My commission expires: August 31, 2020

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

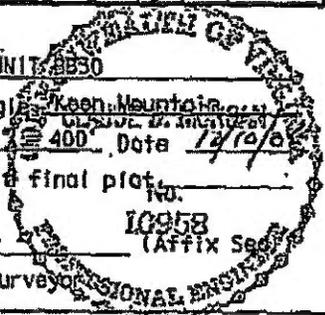
PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.



Company CNX Gas Company LLC Well Name and Number UNIT BB30
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 12/10/06
 This plat is a new plat X ; on updated plat _____ ; or a final plat _____

Form DGD-60-7
 Rev. 9/91

 Licensed Professional Engineer or Licensed Land Surveyor



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CNX Gas Company LLC**UNIT BB-30****Tract Identifications**

1. **Coal Mountain Mining Company Limited Partnership L.L.P. Tr. 9 (187 Acre Tract)- All Minerals
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
67.22 acres 84.0250**
- 1A. **Elmer Vandyke, et ux -Surface**
 1B. **Unknown Surface Owner**
 1C. **Unknown Surface Owner**
 1D. **Unknown Surface Owner**
 1E. **Unknown Surface Owner**
 1F. **Consolidation Coal Company - Surface**
 1G. **Charlie Monk, et ux - Surface**
 1H. **Unknown Surface Owner**
 1I. **Charlie Monk, et ux - Surface**
 1J. **Unknown Surface Owner**
2. **Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Lida J. Holzgrebe - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.93 acres 1.1625%**
3. **CNX Gas Company LLC - (38 Acre Tract) - Fee (93.3%)
Marjorie H. Lewis Heirs, et al - Fee (8.7%)
CNX Gas Company LLC - Oil, Gas and CBM Leased (3.8425%)
0.21 acres 0.2625%**
4. **Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 6 (275 Acre Tract) - All Minerals
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Consolidation Coal Company - Surface
11.64 acres 14.5500%**
- 4A. **Consolidation Coal Company - Surface**
 4B. **Unknown Surface Owner**

Exhibit B-3
Unit BB-30
Docket #VGOB 06-1114-1772
List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #3 - 0.21 acres</u>		
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.21 acres	0.2625%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.0053 1/40 of 0.21 acres	0.0066%
(f) John H. Pickett 6415 Taylorsville Rd #163 Finchville, KY 40022	0.0004 1/576 of 0.21 acres	0.0005%
(m) Margaret Ann Oppenheimer 4108 Cambridge Road Richmond, VA 23221	0.0004 1/576 of 0.21 acres	0.0005%
(n) William Wilkerson Peery, Jr. 5923 Northern Dancer Drive Macon, GA 31210	0.0004 1/576 of 0.21 acres	0.0005%
II. OIL & GAS OWNERSHIP		
<u>Tract #3 - 0.21 acres</u>		
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.21 acres	0.2625%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.0053 1/40 of 0.21 acres	0.0066%
(f) John H. Pickett 6415 Taylorsville Rd #163 Finchville, KY 40022	0.0004 1/576 of 0.21 acres	0.0005%
(m) Margaret Ann Oppenheimer 4108 Cambridge Road Richmond, VA 23221	0.0004 1/576 of 0.21 acres	0.0005%
(n) William Wilkerson Peery, Jr. 5923 Northern Dancer Drive Macon, GA 31210	0.0004 1/576 of 0.21 acres	0.0005%

Exhibit E
 Unit BB-30
 Docket #VGOB 06-1114-1772
 List of Owners or Claimants that require escrow

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	Net Acres in Unit	Interest in Unit
<u>Tract #2 - 0.93 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.93 acres	1.1625%
<u>OIL & GAS OWNERSHIP</u>		
(1) Lida J. Holzgrefe 13765 Seabiscuit Drive Reno, NV 89521	0.93 acres	1.1625%
<u>Tract #3 - 0.21 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.21 acres	0.2625%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.0053 1/40 of 0.21 acres	0.0066%
<u>OIL & GAS OWNERSHIP</u>		
(1) Marjorie Lewis Heirs, Devisees, Successors or Assigns, et al.	0.21 acres	0.2625%
(a) Marjorie Lewis Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.0053 1/40 of 0.21 acres	0.0066%

INSTRUMENT #170000712
 RECORDED IN THE CLERK'S OFFICE OF
 BUCHANAN COUNTY ON
 APRIL 12, 2017 AT 09:44AM

BEVERLY S. TILLER, CLERK
 RECORDED BY: GGB