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120001587

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 10-0817-2779

ELECTIONS: UNIT N-79
(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 December 19, 2011 which was recorded at Document 120000121 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 23, 2012, (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 N-79;

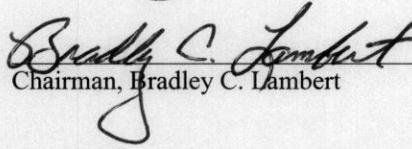
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company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

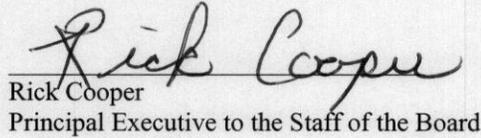
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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.

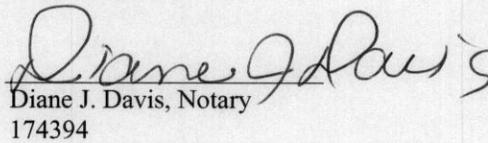

Chairman, Bradley C. Lambert

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 Unit N-79
VGOB 10-0817-2779 in the Rocklick 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 December 19, 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 January 23, 2012;

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:

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 December 19, 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

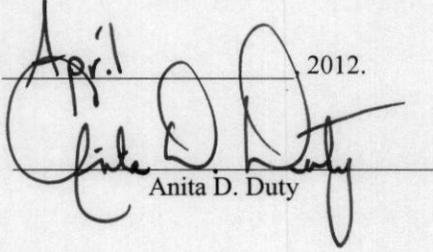
That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

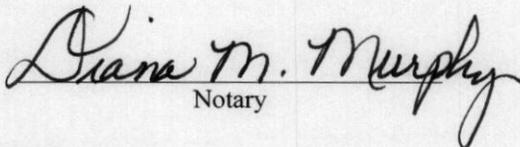
None

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.

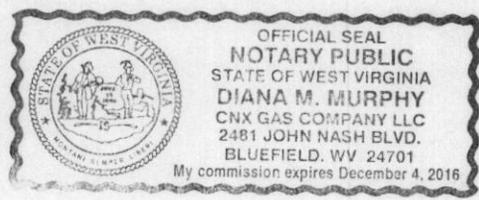
Dated at Bluefield, West Virginia, this 18th day of April, 2012.

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

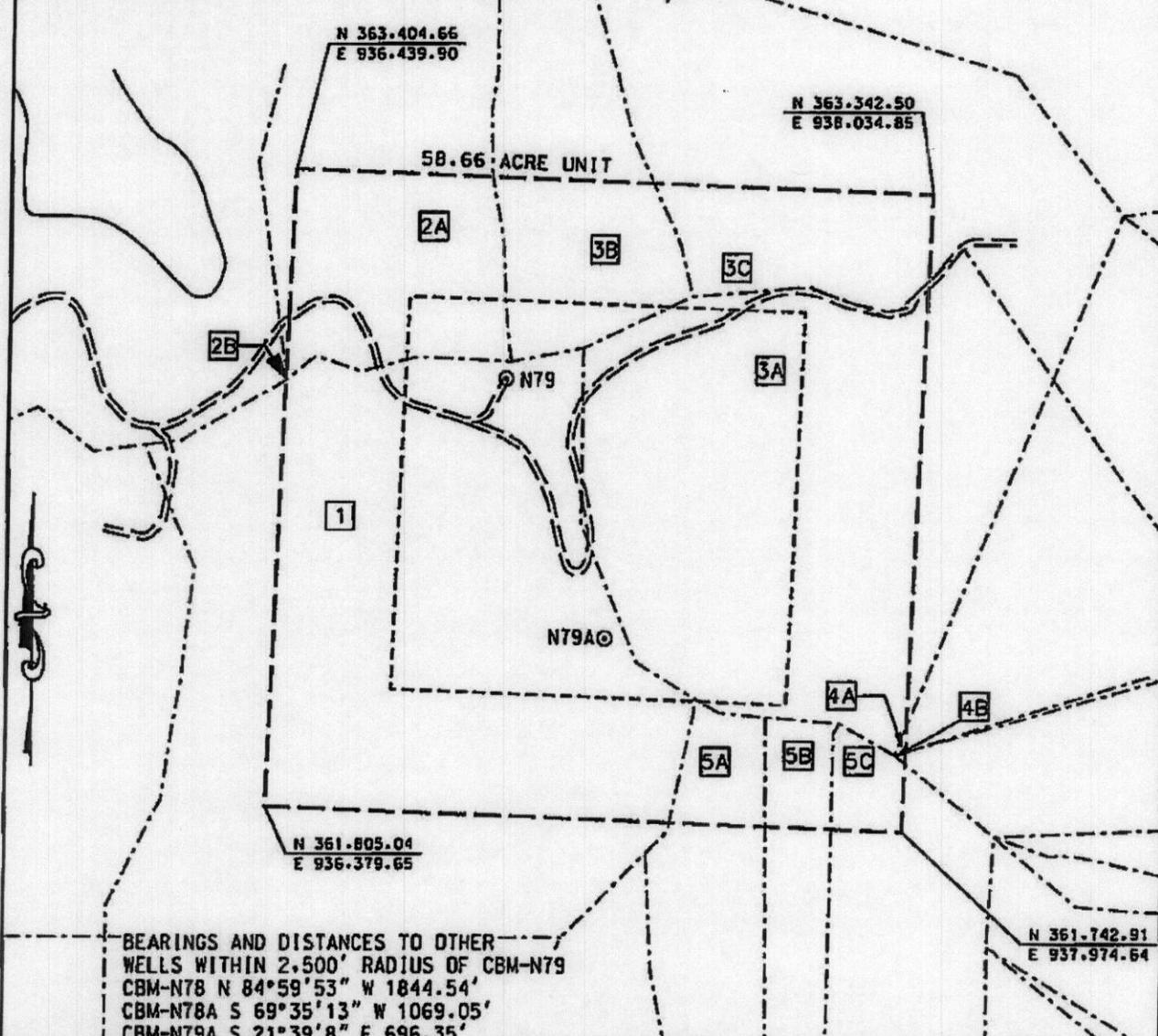
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 18th day of April, 2012.


Notary

My commission expires: December 4, 2016



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-N79
 CBM-N78 N 84°59'53" W 1844.54'
 CBM-N78A S 69°35'13" W 1069.05'
 CBM-N79A S 21°39'8" E 696.35'

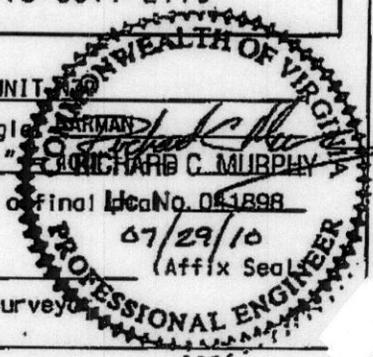
EXHIBIT A
 NORA FIELD
 UNIT N79
 FORCE POOLING
 VGOB 10-0817-2779

Company CNX Gas Company LLC Well Name and Number UNIT N79
 Tract No. _____ Elevation _____ Quadrangle SARMAN
 County BUCHANAN District ROCKLICK Scale: 1" = 100'
 This plat is a new plat X ; an updated plat _____ ; or a final plat No. 091898

Form DGO-GO-7
 Rev. 9/91

Richard C. Murphy

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT N79
Tract Identifications
58.66 Acre Unit

1. **Bull Creek Coal Company, LP (C.C. Wood 89.47 Acre Tract) – All Minerals**
Island Creek Coal Company/Consolidation Coal Company – Coal In and Below Pocahontas
No. 6 Seam Leased
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn Virginia
Operating Co., LLC)
CNX Gas Company LLC – Oil, Gas and CBM Leased
Phillip C. Justice, Jr., et al – Surface
22.77 Acres 38.8169%

2. **Bull Creek Coal Company, LP (William H. Duty 146.20 Acre Tract) – All Minerals**
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn
Virginia Operating Co., LLC)
Chesapeake Appalachia LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
5.81 Acres 9.9045%

- 2A. **Edward Stiltner, et al - Surface**
- 2B. **Arthur Duty – Surface**

3. **Penn Virginia Operating Company LLC, et al (48 Acre Tract) – All Coal except Splash dam Seam**
Penn Virginia Operating Company LLC – Coal in Splash dam Seam
Harman Mining Corporation, et al – All Minerals except Coal
26.74 Acres 45.5847%

- 3A. **Billy Shortridge, et ux - Surface**
- 3B. **Edward Stiltner, et al - Surface**
- 3C. **Lillian Cantrell, et al - Surface**
- 3D. **Unknown Surface Owner**

4. **Bull Creek Coal Company, LP (John L. Clevinger 165.85 Acre Tract) – All Minerals**
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn
Virginia Operating Co., LLC)
Chesapeake Appalachia LLC – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
0.03 Acres 0.0511%

- 4A. **Billy Shortridge, et ux - Surface**
- 4B. **Unknown Surface Owner**

CNX Gas Company LLC
UNIT N79
Tract Identifications
58.66 Acre Unit

- 5A. **Bull Creek Coal Company (Joseph Ratliff 259.59 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy Inc. – Coal In and Below Pocahontas
No. 6 Seam Leased
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn
Virginia Operating Co., LLC)
CNX Gas Company LLC – CBM Leased
Bull Creek Coal Company, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
David B. Stepp, et al – Surface
1.37 Acres 2.3355%
- 5B. **Bull Creek Coal Company (Joseph Ratliff 259.59 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy Inc. – Coal In and Below Pocahontas
No. 6 Seam Leased
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn
Virginia Operating Co., LLC)
CNX Gas Company LLC – CBM Leased
Bull Creek Coal Company, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (1/3)
Leon Arthur Elswick, et ux – Surface
1.03 Acres 1.7559%
- 5C. **Bull Creek Coal Company (Joseph Ratliff 259.59 Acre Tract) – Coal**
Island Creek Coal Company/Consol Energy Inc. – Coal In and Below Pocahontas
No. 6 Seam Leased
Wellmore Energy Company LLC – Coal In Hagy and Above Seams Leased
Wellmore Energy Company LLC – Coal In Splashdam Seam Leased (Subleased from Penn
Virginia Operating Co., LLC)
CNX Gas Company LLC – CBM Leased
Bull Creek Coal Company, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (1/3)
Johnny R. Billiter, Jr., et ux – Surface
0.91 Acres 1.5513%

Exhibit B-3
Unit N-79
Docket # VGOB 10-0817-2779
List of Unleased Owners/Claimants
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
I. COAL OWNERSHIP		
<u>Tract #3, 26.74 acres</u>		
(1) Penn Virginia Operating Company LLC, et al (All coal except in splashdam seam) (48 Acre Tract)	26.74 acres	45.5847%
(a) Penn Virginia Operating Company, LLC 1000 Town Center Way, Suite 210 Canonsburg, PA 15317	17.83 acres 2/3 of 0.02 acres	30.3898%
II. OIL & GAS OWNERSHIP		
<u>Tract #3, 26.74 acres</u>		
(1) Harman Mining Corporation, et al (48 Acre Tract)	26.74 acres	45.5847%
(a) Harman Mining Corporation Address Unknown	17.83 acres 2/3 of 26.74 acres	30.3898%
<u>Tract #5B, 1.03 acres</u>		
(1) Bull Creek Coal Company, et al (4.35 acre tract)	1.03 acres	1.7559%
(a) Leon Arthur and Ruby Jane Elswick RR2 Box 247A Grundy, VA 24614	0.69 acres 2/3 of 1.37 acres	1.1706%
<u>Tract #5C, 0.91 acres</u>		
(1) Bull Creek Coal Company, et al (11.56 acre tract)	0.91 acres	1.5513%
(a) Johnny R. & Pamela J. Billiter Jr. PO Box 1719 Grundy, VA 24614	0.61 acres 2/3 of 1.37 acres	1.0342%

Exhibit E
Unit N-79
Docket # VGOB 10-0817-2779
List of all Owners/Claimants that require escrow
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
<u>Tract #3, 26.74 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Penn Virginia Operating Company LLC, et al (All coal except in splashdam seam) (48 Acre Tract)	26.74 acres	45.5847%
(a) Penn Virginia Operating Company, LLC 1000 Town Center Way, Suite 210 Canonsburg, PA 15317	17.83 acres 2/3 of 0.02 acres	30.3898%
<u>OIL & GAS OWNERSHIP</u>		
(1) Harman Mining Corporation, et al (48 Acre Tract)	26.74 acres	45.5847%
(a) Harman Mining Corporation Address Unknown	17.83 acres 2/3 of 26.74 acres	30.3898%
<u>Tract #5A, 1.37 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	1.37 acres	2.3355%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bull Creek Coal Company, et al (8.21 acre tract)	1.37 acres	2.3355%
(a) David Brian Stepp & Erica L. Bartley PO Box 442 Grundy, VA 24614	0.91 acres 2/3 of 1.37 acres	1.5570%
<u>Tract #5B, 1.03 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	1.03 acres	1.7559%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bull Creek Coal Company, et al (4.35 acre tract)	1.03 acres	1.7559%
(a) Leon Arthur and Ruby Jane Elswick RR2 Box 247A Grundy, VA 24614	0.69 acres 2/3 of 1.37 acres	1.1706%

Exhibit E
Unit N-79
Docket # VGOB 10-0817-2779
List of all Owners/Claimants that require escrow
(58.66 Acre Tract)

	Acres in Unit	Percent of Unit
<u>Tract #5C, 0.91 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Bull Creek Coal Company P.O. Box 187 Tazewell, VA 24651	0.91 acres	1.5513%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bull Creek Coal Company, et al (11.56 acre tract)	0.91 acres	1.5513%
(a) Johnny R. & Pamela J. Billiter Jr. PO Box 1719 Grundy, VA 24614	0.61 acres 2/3 of 1.37 acres	1.0342%

INSTRUMENT #120001587
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 7, 2012 AT 11:45AM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLB