

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 11-1220-3012

ELECTIONS: UNIT BH-115
(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 January 31, 2013, which was recorded at Docket Book 758, Page 277 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on February 20, 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 BH-115;

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.

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 19 day of June, 2013 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 19 day of June, 2013 by Order of the Virginia Gas and Oil Board.

Rick Cooper

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

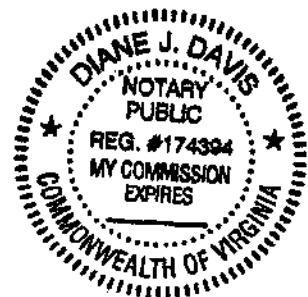
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 19th day of June, 2013, 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.

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

Diane J. Davis

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 CBM Unit BH-115
VGOB-11-1220-3012 in the New Garden District of Russell 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 Gas Company 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 January 31, 2013, 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 Abingdon, 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 20, 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:

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 January 31, 2013;

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 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:

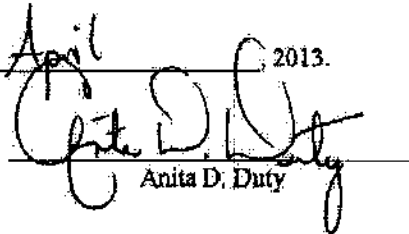
None

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.

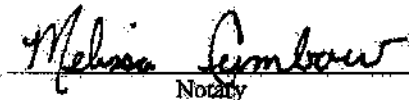
None

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 Mercer, West Virginia, this 4th day of April, 2013.

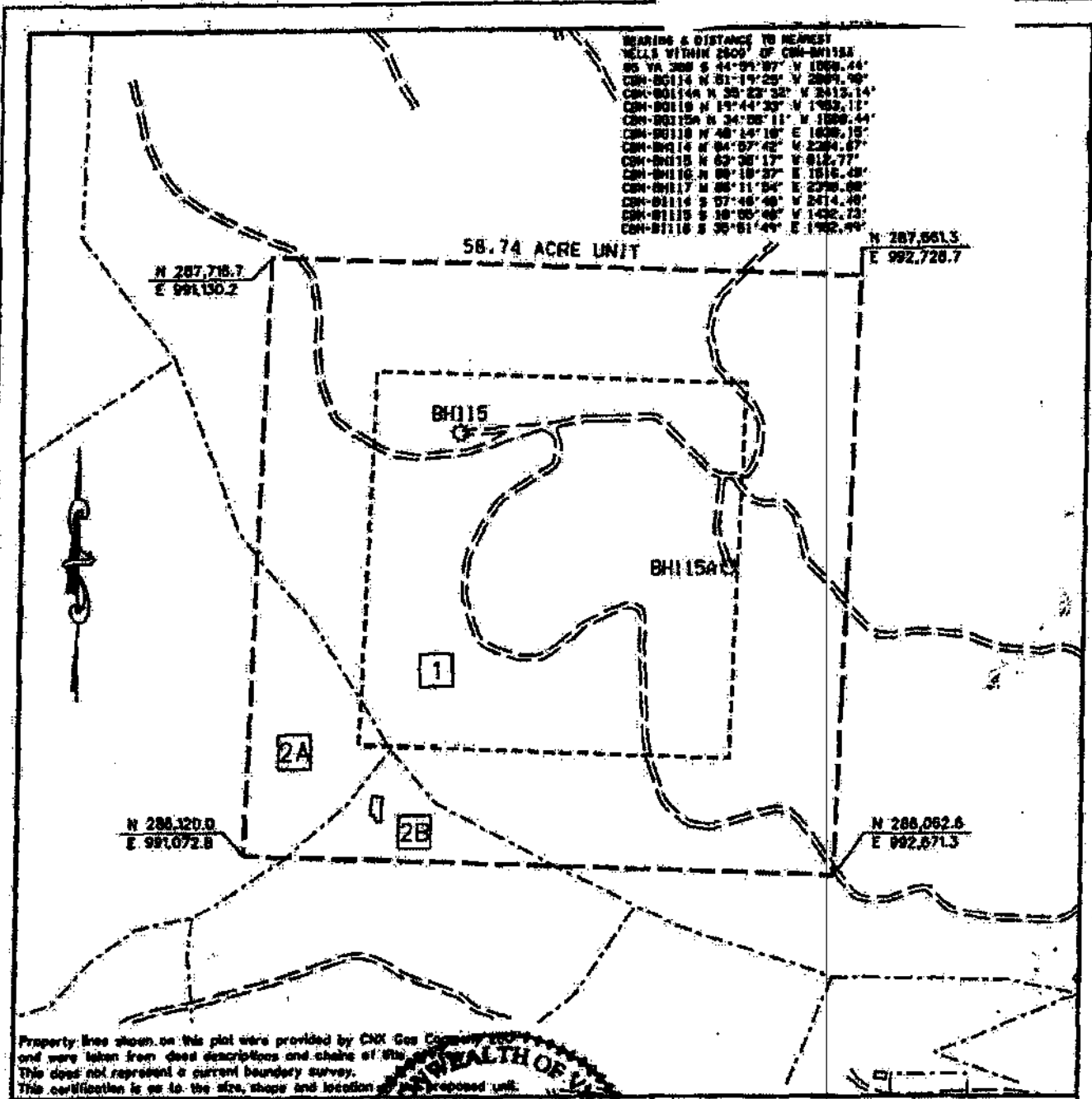

Anita D. Duty

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 4th day of April, 2013.


Notary

My commission expires: April 9, 2023





Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.

- CNX WELL
- ⊙ PROPOSED HORIZONTAL WELL
- ⊕ PROPOSED CNX WELL
- ⊗ CONVENTIONAL WELL

COMMONWEALTH OF VIRGINIA
Richard C. Murphy
RICHARD C. MURPHY
 Lic. No. 041698
 11-14-11
PROFESSIONAL ENGINEER

EXHIBIT A
MIDDLE RIDGE FIELD
UNIT BH115
FORCE POOLING
VG0B-11-1220-3012

Company CNX Gas Company LLC Well Name and Number UNIT BH115
 Tract No. _____ Elevation _____ Quadrangle HONAKER
 County RUSSELL District NEW GARDEN Scale: 1" = 400' Date _____
 This plot is a new plot X ; an updated plot _____ ; or a final plot _____

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

CNX Gas Company LLC**UNIT BH115****Tract Identifications****(58.74 Acre Unit)**

1. **Buckhorn Coal Company Tr. 18 (250.00 Acre Warder #13 Tract) – Fee**
Knox Creek Coal Company – Above Drainage Coal Leased
Reserve Coal Properties Company – Below Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
51.20 acres 87.1638%
2. **Letha F. Vandyke, et al (199.00 Acre Tract) – All Minerals**
Harold Keen Coal Company – All Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (94.4444%)
7.54 acres 12.8362%
- 2A. **Claude Hart - Surface**
- 2B. **Burley W. Dye, et ux - Surface**

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit B-3
Unit BH-113
Docket VGOB #11-1220-3012
List of all Unleased Owners/Claimants
(58.74-Acre Unit)

0768 PAGE 0154

	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #2, 7.54 acres</u>		
(1) Letba F. Vandyke, et al. (199.00 Acre Tract)	7.54 acres	12.8382%
(c) K.R. Thomas Heirs, Devisees, Successors or Assigns:		
(c.1) Nancy Smith Thomas - Life Estate extinguished at death		
(c.2) Peggy Bausell Heirs, Devisees, Successors or Assigns		
(c.2.1) Kemper Bausell PO Box 169 Grundy, VA 24614	0.07 acres 1/108 of 7.54 acres	0.1188%
(c.2.2) Elizabeth Bausell Ryan 402 Blue Heron Point Suffolk, VA 23435	0.07 acres 1/108 of 7.54 acres	0.1189%
(c.2.3) Jill Bausell Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0.07 acres 1/108 of 7.54 acres	0.1189%
(d) Charles T. Worley & Ann Worley	Conveyed 1/2 of 1/36th interest to Elizabeth Worley	
(d.1) Charles T. Worley Heirs, Devisees, Successors or Assigns:		
(d.1.1) Ann Worley Heirs, Devisees, Successors or Assigns		
(d.1.1.1) Timmy Worley 1030 Street Road Kingston Springs, TN 37082	0.03 acres 1/216 of 7.54 acres	0.0594%
(d.1.1.2) Margaret Ann Worley Burns 108 Baxley Road Mooreville, NC 28117	0.03 acres 1/216 of 7.54 acres	0.0594%
(d.1.1.3) Tommy Worley 1181/335 Spot Lane Holly Ridge, NC 28445	0.03 acres 1/216 of 7.54 acres	0.0594%
(e) Elizabeth Worley Heirs, Devisees, Successors or Assigns		
(e.1) Patricia Ann Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.2) Connie Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.3) Kemper Bausell PO Box 169 Grundy, VA 24614	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.4) Elizabeth Bausell Ryan 402 Blue Heron Point Suffolk, VA 23435	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.5) Jill Bausell Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.6) Tommy Worley 1181/335 Spot Lane Holly Ridge, NC 28445	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.7) Timmy Worley 1030 Street Road Kingston Springs, TN 37082	0.01 acres 1/576 of 7.54 acres	0.0223%

Exhibit B-3
Unit BM-115
Docket YGOB #11-122B-3012
List of all Unleased Owners/Claimants
(58.7% Acre Unit)

0768 PAGE 0155

	Area in Unit	Interest in Unit
(e.8) Margaret Ann Worley Burns 108 Bexley Road Mooresville, NC 28117	0.01 acres 1/576 of 7.54 acres	0.0223%
II. OIL & GAS OWNERSHIP		
Tract #2, 7.54 acres		
(1) Letha F. Vandyke, et al. (199.00 Acre Tract)	7.54 acres	12.8362%
(c) K.R. Thomas Heirs, Devisees, Successors or Assigns		
(c.1) Nancy Smith Thomas - Life Estate extinguished at death		
(c.2) Peggy Bausell Heirs, Devisees, Successors or Assigns		
(c.2.1) Kemper Bausell PO Box 169 Grundy, VA 24614	0.07 acres 1/108 of 7.54 acres	0.1189%
(c.2.2) Elizabeth Bausell Ryan 402 Blue Heron Point Suffolk, VA 23435	0.07 acres 1/108 of 7.54 acres	0.1189%
(c.2.3) Jill Bausell Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0.07 acres 1/108 of 7.54 acres	0.1189%
(d) Charles T. Worley & Ann Worley	Conveyed 1/2 of 1/36th interest to Elizabeth Worley	
(d.1) Charles T. Worley Heirs, Devisees, Successors or Assigns		
(d.1.1) Ann Worley Heirs, Devisees, Successors or Assigns		
(d.1.1.1) Timmy Worley 1030 Street Road Kingston Springs, TN 37082	0.03 acres 1/216 of 7.54 acres	0.0594%
(d.1.1.2) Margaret Ann Worley Burns 108 Bexley Road Mooresville, NC 28117	0.03 acres 1/216 of 7.54 acres	0.0594%
(d.1.1.3) Tommy Worley 1161/335 Spot Lane Holly Ridge, NC 28446	0.03 acres 1/216 of 7.54 acres	0.0594%
(e) Elizabeth Worley Heirs, Devisees, Successors or Assigns		
(e.1) Patricia Ann Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.2) Connie Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.3) Kemper Bausell PO Box 169 Grundy, VA 24614	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.4) Elizabeth Bausell Ryan 402 Blue Heron Point Suffolk, VA 23435	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.5) Jill Bausell Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0.01 acres 1/576 of 7.54 acres	0.0223%

Exhibit B-3
Unit BH-115
Docket VGOB #11-1220-3012
List of all Unleased Owners/Claimants
(58.74 Acre Unit)

0768 PAGE 0156

	Acres in Unit	Interest in Unit
(a.6) Tommy Worley 1181/335 Spot Lane Holy Ridge, NC 28445	0.01 acres 1/576 of 7.54 acres	0.0223%
(a.7) Timmy Worley 1038 Street Road Kingston Springs, TN 37082	0.01 acres 1/576 of 7.54 acres	0.0223%
(a.8) Margaret Ann Worley Burns 108 Bexley Road Mooresville, NC 28117	0.01 acres 1/576 of 7.54 acres	0.0223%
<u>TOTAL UNLEASED:</u>		
	Acres in Unit Percentage of Unit	0.42 0.7131%

Exhibit E
Unit BH-115
Docket VGOB #11-1220-3012
List of Unknown/Unlocatables that require Escrow
(58.74 Acre Unit)

0768 PAGE 0157

	Acreage in Unit	Interest in Unit
<u>Tract #2, 7.54 acres</u>		
<u>Escrow due to Unknown/Unlocatable</u>		
<u>COAL OWNERSHIP</u>		
(1) Letha F. Vandyke, et al. (199.00 Acre Tract)	7.54 acres	12.8362%
(e) Elizabeth Worley Heirs, Devisees, Successors or Assigns		
(e.1) Patricia Ann Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.2) Connie Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
<u>OIL & GAS OWNERSHIP</u>		
(1) Letha F. Vandyke, et al. (199.00 Acre Tract)	7.54 acres	12.8362%
(e) Elizabeth Worley Heirs, Devisees, Successors or Assigns		
(e.1) Patricia Ann Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
(e.2) Connie Thomas Address Unknown	0.01 acres 1/576 of 7.54 acres	0.0223%
<u>TOTAL UNLOCATABLE:</u>		
Acreage in Unit	0.03	
Percentage of Unit		0.0446%

1302229

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 10-8 2013. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:02 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Diane Davis

BY: Sheila Ketco D. CLERK