

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 15-1117-4076

ELECTIONS: **UNIT AV-148** (*Wells AV148 & AV148A*)
(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 16, 2015**, which was recorded at **Deed Book 2015, Page 20109** in the Office of the Clerk of the Circuit Court of **Tazewell County, Virginia**, on **December 30, 2015**, (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 AV-148**;

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: Escrow Agent** 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 13 day of December, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

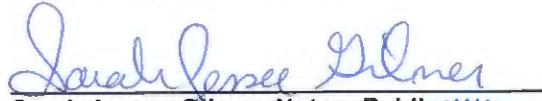
DONE AND PERFORMED this 13 day of December, 2016 by Order of the Virginia Gas and Oil Board.



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

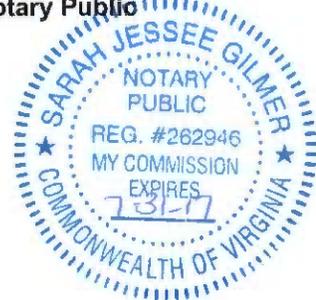
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 13th day of December, 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 CBM Unit AV-148
VGOB 15-1117-4076 in the Maiden Springs District of Tazewell 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 December 16, 2015, 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 December 30, 2015;

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 December 16, 2015;

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 added and/or dismissed as respondents; the Operator requests that the following persons be added and/or dismissed as Respondents:

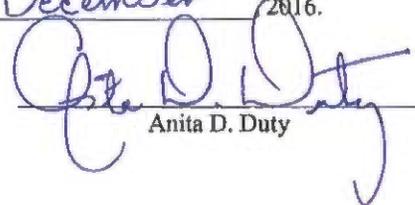
None

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

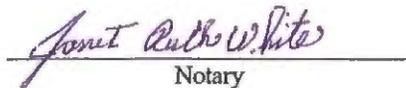
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Cedar Bluff, Virginia, this 13th day of December, 2016.


Anita D. Duty

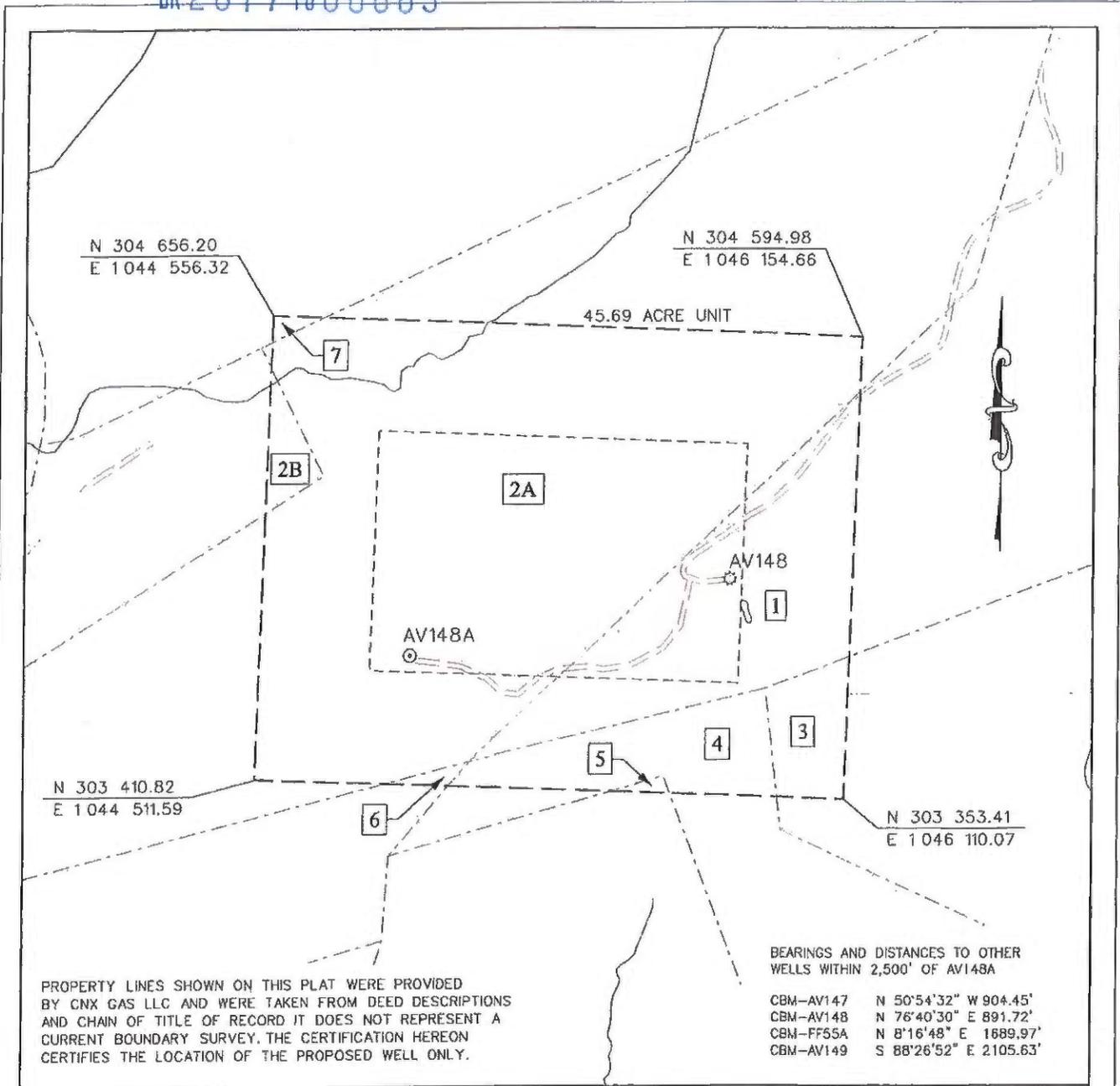
STATE OF VIRGINIA
COUNTY OF TAZEWELL

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 13th day of December, 2016.


Notary

My commission expires: 3/31/20

JANET RUTH WHITE
NOTARY PUBLIC
Commonwealth of Virginia
Reg# 7667821
My Commission Expires 3/31/20

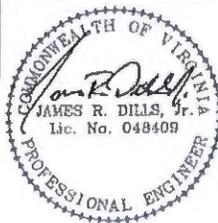


PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY CNX GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE OF RECORD IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.

BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' OF AV148A

CBM-AV147 N 50°54'32" W 904.45'
 CBM-AV148 N 76°40'30" E 891.72'
 CBM-FF55A N 8°16'48" E 1689.97'
 CBM-AV149 S 88°26'52" E 2105.63'

☉ CBM WELL
 ⊙ PROPOSED CBM WELL



Digitally signed by James R Dills Jr.
 DN: c=US, o=IdenTrust ACES Business Representative, ou=D. R. PRICE ENGINEERING AND LAND SURVEYING INC PC, cn=James R Dills Jr., 0.9.2342.19200300.100.1.1=A0109690000012E01701153000027 EA
 Date: 2015.10.13 11:15:48 -04'00'

EXHIBIT A
 MIDDLE RIDGE FIELD
 UNIT AV148
 FORCE POOLING
 VGOB-15-1117-4076

Company CNX Gas Company LLC Well Name and Number UNIT AV148
 Tract No. _____ Elevation _____ Quadrangle RICHLANDS
 County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date _____
 This plat is a new plat ; on updated plat _____ ; 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 AV148

Tract Identifications

(45.69 Acre Unit)

1. CONSOL Amonate Mining Company, LLC (Faraday Tract 261) 343.06 Acre Tract – All Coal
Lauren Land Company – Lower Seaboard and Above Coal Leased
CNX Gas Company LLC – CBM
Cabot Oil and Gas Corporation – Oil and Gas
Dominion Woodlands LLC – Surface
Tax Map 87A Parcel 38
8.57 Acres 18.7568%
2. CONSOL Amonate Mining Company, LLC (Faraday Tract 260) 84.35 Acre Tract – All Coal
Lauren Land Company – Lower Seaboard and Above Coal Leased
CNX Gas Company LLC – CBM
Cabot Oil and Gas Corporation – Oil and Gas
Tax Map 87A Parcel 34
31.85 Acres 69.7089%
- 2A. Dominion Woodlands LLC – Surface
- 2B. Norton Coal Company LLC – Surface
3. CONSOL Amonate Mining Company, LLC (Faraday Tract 137) 44.49 Acre Tract – All Coal
Lauren Land Company – Lower Seaboard and Above Coal Leased
CNX Gas Company LLC – CBM
Cabot Oil and Gas Corporation – Oil and Gas
Dominion Woodlands LLC – Surface
Tax Map 87A Parcel 36
1.59 Acres 3.4800%
4. CNX Gas Company LLC (20/21) & Barri Bandy(1/21) – Minerals
Unknown Surface Owner
Tax Map 87A Parcel 24
3.35 Acres 7.3320%
5. Simmons Land and Properties, Inc, et al – Minerals
CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)
Unknown Surface Owner
Tax Map 87A Parcel 22
0.08 Acre 0.1751%
6. CONSOL Amonate Mining Company, LLC (Faraday Tract 154) 21.85 Acre Tract – All Coal
Lauren Land Company – Lower Seaboard and Above Coal Leased
CNX Gas Company LLC – CBM
Cabot Oil and Gas Corporation – Oil and Gas
Unknown Surface Owner
Tax Map 87A Parcel 35
0.12 Acre 0.2627%
7. Southern Region Industrial Realty Corp., Tr.13 (584.42 Acre Tract) – All Coal except P-3 Seam
CNX RCPC LLC – Coal in P-3 Seam
CNX Gas Company LLC – CBM in P-3 Seam
White Wolf Energy, Inc - All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased

"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."

BK 2017 PG 00685

CNX Gas Company LLC

UNIT AV148

Tract Identifications

(45.69 Acre Unit)

Pardee Royalty LLC and Pardee Minerals LLC – Oil, Gas and CBM except CBM in P-3 Seam

CNX Gas Company LLC – CBM Leased (Deemed Leased via JOA)

Southern Region Industrial Realty Corporation – Surface

Appalachian Forests A., LLC - Timber

Tax Map 87A Parcel 32

0.13 Acre 0.2845%

"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 AV-148
 Docket #VGOB 15-1117-4076
 List of respondents to be pooled
 (45.69 Acre Unit)

	Acres in Unit	Percent of Unit
II. <u>OIL & GAS OWNERSHIP</u>		
<u>Tract #5, 0.08 acres</u>		
(1) Simmons Land and Properties, Inc., et al	0.08 acres	0.1751%
(b) Edward Fulton Heirs, Devisees, Successors or Assigns (Heirs Unknown)	0.04 acres 1/2 of 0.08 acres	0.0875%
<u>TOTAL OIL & GAS ESTATE:</u>		
Acreage in Unit Unleased	0.04	
Percentage of Unit Unleased		0.0875%

BK 2017 PG00687

Exhibit E

Unit AV-148

Docket #VGOB 15-1117-4076

List of respondents to be escrowed due to Unknown/Unlocatable

(45.69 Acre Unit)

	Acres in Unit	Percent of Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #5, 0.08 acres</u>		
(1) Simmons Land and Properties, Inc., et al	0.08 acres	0.1751%
(b) Edward Fulton Heirs, Deviseses, Successors or Assigns (Heirs Unknown)	0.04 acres 1/2 of 0.08 acres	0.0875%

INSTRUMENT #170000153
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
JANUARY 13, 2017 AT 12:41PM

TAMI B. ALLISON, CLERK
RECORDED BY: ERD