

VIRGINIA:

170000715

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 17-0117-4106

ELECTIONS: **UNIT J-32** (*Wells J32 & J32A*)  
(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 19, 2017** which was recorded at **Instrument 170000179** in the Office of the Clerk of the Circuit Court of **Buchanan County**, Virginia, on **January 31, 2017**, (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 J-32**;

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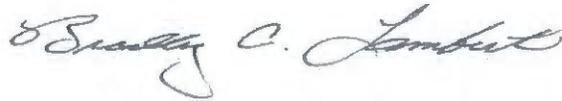
Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests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

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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:

## Exhibit A

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in **Unit J-32**  
**VGOB 17-0117-4106** 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 **January 19, 2017**, 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 31, 2017**;

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 19, 2017**;

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:

None

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:

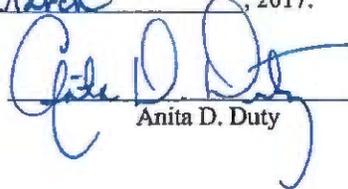
None

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

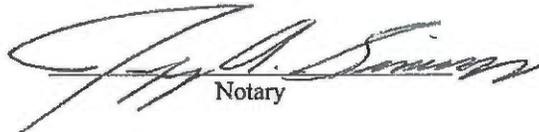
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Cedar Bluff, Virginia, this 1<sup>st</sup> day of March, 2017.

  
Anita D. Duty

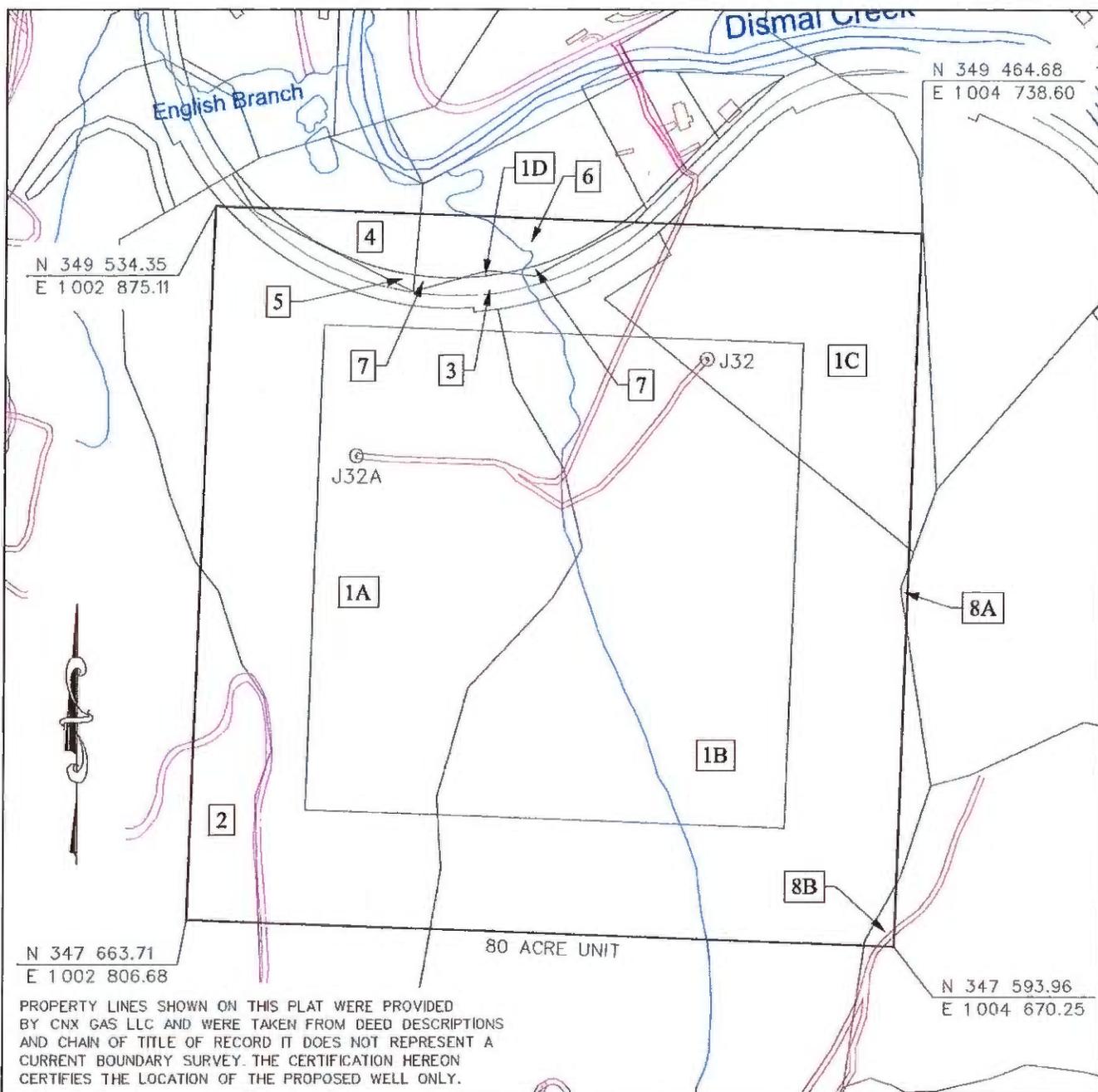
STATE OF VIRGINIA  
COUNTY OF TAZEWELL

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 ~~1<sup>st</sup>~~ day of March, 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 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.

- ⊙ CBM WELL
- ⊙ PROPOSED CBM WELL



EXHIBIT A  
OAKWOOD FIELD  
UNIT J32  
FORCE POOLING  
VGOB-17-0117-4106

Company CNX Gas Company LLC Well Name and Number UNIT J32  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle KEEN MOUNTAIN  
 County BUCHANAN District GARDEN Scale: 1" = 400' Date 12/7/16  
 This plat is a new plat X ; an 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 J32  
Tract Identifications**

1. C.L. Ritter Lumber Company Tr. 37 (126.30 Acre Tract) – All Minerals  
Island Creek Coal Company – All seams of coal underlying the Tiller seam except the P3 Leased  
Buchanan Mining Company, LLC – P3 seam Leased  
Jewell Smokeless Coal Corporation – Tiller Seam and Above Coal Leased  
Energy Corporation of America – Oil and Gas Leased  
CNX Gas Company LLC – CBM Leased  
72.13 Acres      90.1625%
- 1A. Jewell Smokeless Coal Corporation – Surface
- 1B. Jewell Smokeless Coal Corporation – Surface
- 1C. Jewell Smokeless Coal Corporation – Surface
- 1D. Unknown Surface Owner
2. C.L. Ritter Lumber Company Tr. 36 (117.60 Acre Tract) – All Minerals  
Island Creek Coal Company – All seams of coal underlying the Tiller seam except the P3 Leased  
Buchanan Mining Company, LLC – P3 seam Leased  
Jewell Smokeless Coal Corporation – Tiller Seam and Above Coal Leased  
Energy Corporation of America – Oil and Gas Leased  
CNX Gas Company LLC – CBM Leased  
Unknown Surface Owner  
3.16 Acres      3.9500%
3. Norfolk Southern Railway – Coal  
C.L. Ritter Lumber Company – Oil and Gas  
Energy Corporation of America – Oil and Gas Leased  
CNX Gas Company LLC – CBM Leased  
Norfolk Southern Railway – Surface  
1.88 Acres      2.3500%
4. Barbara Meadows, et vir – Minerals  
Unknown Surface Owner  
0.91 Acres      1.1375%
5. Norfolk Southern Railway – All Minerals except Coal 800 feet and below  
Barbara Meadows, et vir – Coal 800 feet and below  
CNX Gas Company LLC – CBM Leased (Norfolk Southern Railway)  
Unknown Surface Owner  
0.14 Acres      0.1750%
6. David S. Horton, et al – Minerals  
Unknown Surface Owner  
1.46 Acres      1.8250%
7. Norfolk Southern Railway – All Minerals except Coal 800 feet and below  
CNX Gas Company LLC – CBM Leased (Norfolk Southern Railway)  
David S. Horton, et al – Coal 800 feet and below  
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 coalbed methane ownership and should not be relied upon for such purpose.)

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**CNX Gas Company LLC**  
**UNIT J32**  
**Tract Identifications**

8. Buchanan Mining Company LLC, et al Big Vein Tr. 141 (394.75 Acre Tract) – Coal  
Island Creek Coal Company – Coal Below Tiller Seam Leased  
Buchanan Mining Company LLC – P3 Seam Sub-leased  
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased  
Highland Resources/North American Resources Corporation, et al – Oil and Gas  
Cities Service Oil and Gas Corporation – Oil and Gas Leased  
Plum Creek Timberland (1/3) – CBM  
CNX Gas Company LLC – CBM Leased  
0.17 Acres            0.2125%

- 8A. Unknown Surface Owner  
8B. 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 coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit B-3  
Unit J-32  
Docket #VGOB 17-0117-4106  
List of all Unleased Owners/Claimants

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	Acres in Unit	Percent of Unit
<b>ii. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #4, 0.91 Acres</u></b>		
(1) Barbara & Gene Meadows, et vlr 3900 Midlothian Ave Tpk Richmond, VA 23224-1324	0.91 acres	1.1375%
<b><u>Tract #6, 1.46 Acres</u></b>		
(1) David S. Horton, et al	1.46 acres	1.8250%
(a) Lydia Ward Heirs, Devisees, Successors or Assigns		
(a.1) Hufford Ward Heirs, Devisees, Successors or Assigns		
(a.1.2) Myrville Lester PO Box 561 Doran, VA 24612	0.023 acres 1/63 of 1.46 acres	0.0290%
(a.1.3) Phyllis Ball 4133 McMinnville Hwy Sparta, TN 38583	0.023 acres 1/63 of 1.46 acres	0.0290%
(a.1.4) Loeann Ward Keaton Heirs, Devisees, Successors or Assigns (1/63)		
(a.1.4.1) Donald Terry Keaton 500 County Rd 4820 DeLeon, TX 76444	0.008 acres 1/189 of 1.46 acres	0.0097%
(a.1.4.2) Donna Cindy Stillner 180 Beverly Hollow Rd Wallace, WV 26448	0.008 acres 1/189 of 1.46 acres	0.0097%
(a.1.4.3) Kyle "Bo" Ward PO Box 1134 Vansant, VA 24656	0.008 acres 1/189 of 1.46 acres	0.0097%
(a.1.5) Kyle Ernest Ward Heirs, Devisees, Successors or Assigns		
(a.1.5.1) Eileen Ward PO Box 2934 Lebanon, VA 24266	0.023 acres 1/63 of 1.46 acres	0.0290%
(a.1.6) Skeets Ward 315 Old Dunham Bridge Rd Greenville, SC 29611	0.023 acres 1/63 of 1.46 acres	0.0290%
(a.1.7) Retha E. Martin 995 County Rd 488 Stephenville, TX 76401	0.023 acres 1/63 of 1.46 acres	0.0290%
(c) Ben Franklin Ward	<i>Deceased - No Issue</i>	
(d) Exle Ward & R.R. Strickland	<i>Conveyed 9/20/1967 by DB 180/546</i>	
(d.1) Gene A. & Barbara J. Meadows 2081 Airy Circle Henrico, VA 23238	0.162 acres 1/9 of 1.46 acres	0.2028%
<b><u>UNLEASED OIL &amp; GAS OWNERS:</u></b>		
	Acres in Unit	1.1881
	Percentage of Unit	1.5141%

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INSTRUMENT #170000715  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
APRIL 12, 2017 AT 09:49AM

BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB