

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 17-0718-4138

ELECTIONS: **UNIT DD1** (*Wells DD1 & DD1A*)
(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 **August 4, 2017** which was recorded at **Instrument 170001690** in the Office of the Clerk of the Circuit Court of **Buchanan** County, Virginia, on **August 14, 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 DD-1**

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.

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 12 day of October, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

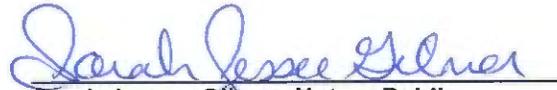
DONE AND PERFORMED this 12 day of October, 2017 by Order of the Virginia Gas and Oil Board.



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

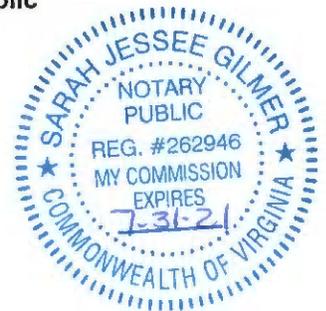
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 12th day of October, 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.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2021



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 DD-1
VGOB 17-0718-4138 in the Hurricane 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 August 4, 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 August 14, 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 August 4, 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.

See attached Exhibit EE

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 26th day of September, 2017.

Anita D. Duty
Anita D. Duty

STATE OF VIRGINIA
COUNTY OF TAZEWELL

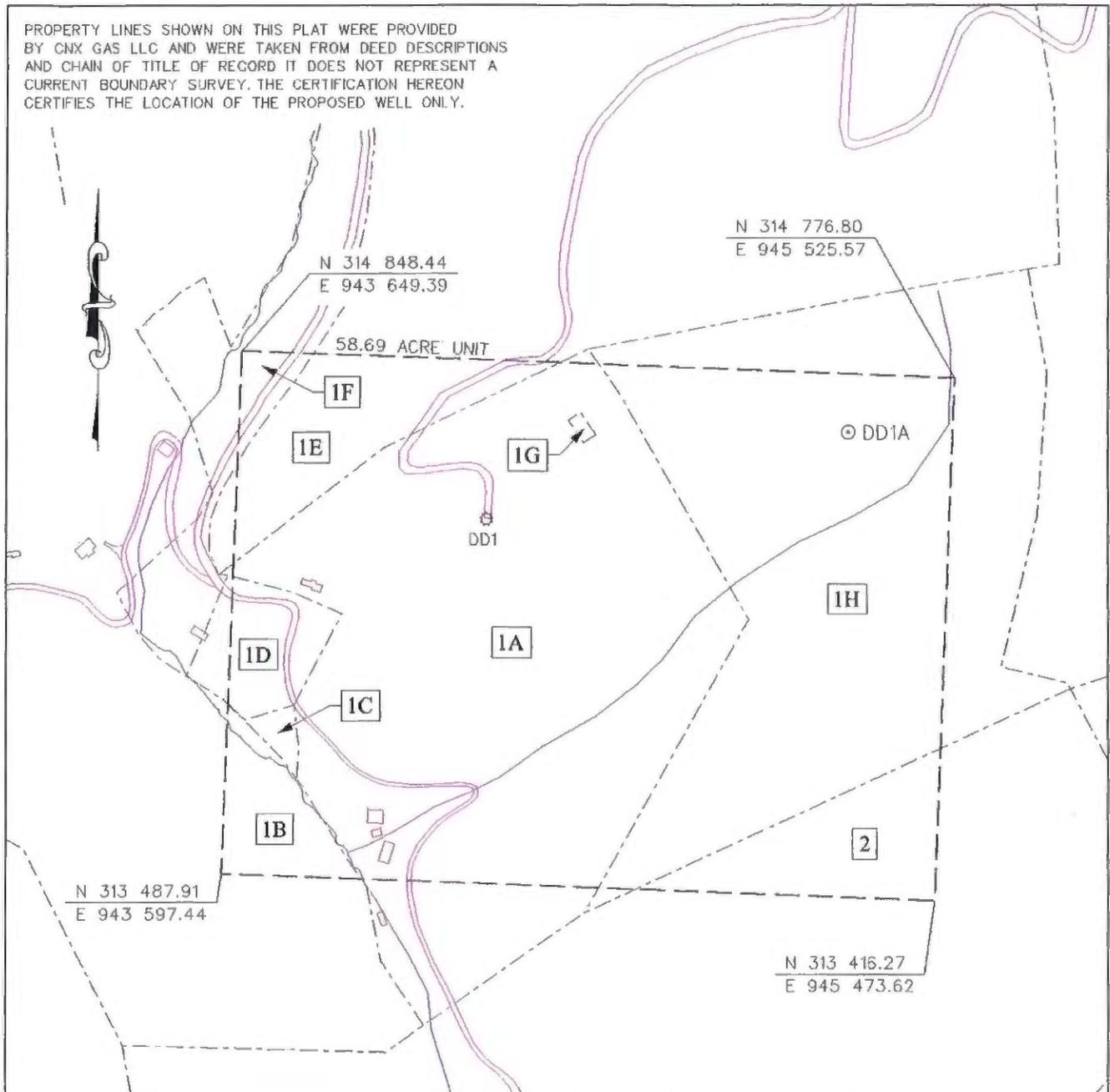
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC on behalf of the corporate Designated Operator, this 26th day of September, 2017.

Janet Ruth White
Notary

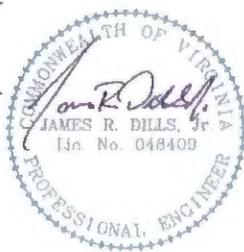
My commission expires: 3/3/20.

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

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.



☉ 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=A0109690000012E01701153000027EA
 Date: 2017.06.08 12:39:14 -04'00'

EXHIBIT A
 OAKWOOD FIELD
 UNIT DD1
 FORCE POOLING
 VGOB-17-0718-4138

Company CNX Gas Company LLC Well Name and Number UNIT DD1
 Tract No. _____ Elevation _____ Quadrangle VANSANT
 County BUCHANAN District HURRICANE Scale: 1" = 400' Date _____
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7
 Rev. 9/91

 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)

**CNX Gas Company LLC
UNIT DD1
Tract Identifications**

1. Levisa Coal Company, Tract 63 (316.70 Acre Tract) – All Coal
Revelation Energy, LLC – Coal In and Above Tiller Seam Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
55.11 Acres 93.9002%

- 1A. Martha Delta Boyd – Surface Owner
- 1B. Unknown Surface Owner
- 1C. Unknown Surface Owner
- 1D. Unknown Surface Owner
- 1E. Roy Elmer Boyd – Surface Owner
- 1F. Unknown Surface Owner
- 1G. Unknown Surface Owner
- 1H. Unknown Surface Owner

2. John W. Pobst, Jr., et al (103.60 Acre Tract) – Minerals
Revelation Energy, LLC – Coal In and Above Tiller Seam Leased
Island Creek Coal Company – Coal Below Tiller Seam Leased
EQT Production Company – Oil, Gas and CBM Leased
3.58 Acres 6.0998%

"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 DD-1
Docket VGOB# 17-0718-4138
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #2 - 3.58 acres</u>		
(1) John W. Pobst, Jr., et al. * (103.60 Acre Tract)	3.58 acres	6.0998%
<i>By Chancery suit on 8/29/1961, H. Claude Pobst vs. G.O. McGuire in DB 147/266, Marjorie Coleman, Special Commission granted unto Joseph F. McGuire a 1/2 interest and to John W. Pobst, Nancy P. Ellis and W. Kent Pobst a 1/6 interest each.</i>		
(a) Joseph Frederick McGuire Heirs, Devisees, Successors or Assigns		
(a.1) Mountain Mission School 1760 Edgewater Dr Grundy, VA 24614	1.7900 acres 1/2 of 3.58 acres	3.0499%
(b) John W. Pobst Heirs, Devisees, Successors or Assigns		
(b.1) Billie S. Pobst Heirs, Devisees, Successors or Assigns		
(b.1.1) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.2983 acres 1/12 of 55.11 acres	0.5083%
(b.1.2) Virginia Lee Linwick Burns 4324 South Ball Dr Veradale, WA 99037	0.2983 acres 1/12 of 55.11 acres	0.5083%
(c) W. Kent Pobst <i>Conveyed 8/19/1987 (DB 334/518)</i>		
(c.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084	0.2983 acres 1/12 of 55.11 acres	0.5083%
(c.2) Nancy Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.2983 acres 1/12 of 55.11 acres	0.5083%
(d) Nancy Ellis, et vir <i>Conveyed 6/10/1994 (DB 424/261)</i>		
(d.1) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.5967 acres 1/6 of 55.11 acres	1.0166%
* <i>The Oil & Gas Estate is leased by EQT Production Company</i>		
Total Acres Unleased		3.5800
Total Percentage Unleased		6.0998%

Exhibit EE
Unit DD-3
Docket VGOB# 17-0718-4138
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit
<u>Tract #1 - 55.11 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Levisa Coal Corporation, Tr.63 (316.70 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	55.11 acres	93.9002%
<u>OIL & GAS OWNERSHIP</u>		
(1) John W. Pobst, Jr., et al. (316.70 Acre Tract)	55.11 acres	93.9002%
(a) H. Claude Pobst & Mary Alice Pobst	<i>Conveyed 4/23/1947 (DB 100/231)</i>	
(a.1) John W. Pobst Heirs, Devisees, Successors or Assigns		
(a.1.1) Billie S. Pobst Heirs, Devisees, Successors or Assigns		
(a.1.1.1) John W. Pobst, Jr. Box 86 Revere, PA 18953	4.5925 acres 1/12 of 55.11 acres	7.8250%
(a.1.1.2) Virginia Linwick Burns 4324 South Ball Dr Veradale, WA 99037	4.5925 acres 1/12 of 55.11 acres	7.8250%
(a.2) Nancy S. Ellis, et vir	<i>Conveyed 10/30/1991 (DB 100/231)</i>	
(a.2.1) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	9.1850 acres 1/6 of 55.11 acres	15.6500%
(a.3) W. Kent Pobst	<i>Conveyed 5/17/1991 (DB 418/615)</i>	
(a.3.1) W. Kent Pobst Trust	<i>Trust terminated 2/24/2004</i>	
(a.3.1.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084	4.5925 acres 1/12 of 55.11 acres	7.8250%
(a.3.1.2) Nancy Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	4.5925 acres 1/12 of 55.11 acres	7.8250%
(b) F.H. Combs Heirs, Devisees, Successors or Assigns		
(b.1) C. H. Combs	<i>Trustee until the death of Harriette R. Combs</i>	
(b.1.1) Harriette R. Combs Heirs, Devisees, Successors or Assigns		
(b.1.1.1) Helen C. Johnson	<i>Conveyed 8/18/00 DB514/691)</i>	
(b.1.1.1.1) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	6.8888 acres 1/8 of 55.11 acres	11.7375%

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Exhibit EE
Unit DD-3
Docket VGOB# 17-0718-4138
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	Acres in Unit	Percent of Unit
(b.1.2) Carol C. Irvin	<i>Conveyed by deed of gift dated 11/1/12 (Instr.12-2651)</i>	
(b.1.2.1) CIPL LP c/o John C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	2.2963 acres 1/24 of 55.11 acres	3.9125%
(b.1.3) C. H. Combs	<i>Trustee until Frederick Harmon Combs reached the age of 21</i>	
(b.1.3.1) Frederick Harmon Combs, II Heirs, Devisees, Successors or Assigns		
(b.1.3.1.1) F.H. Combs Testamentary Trust c/o Trustees PO Box 841 Tazewell, VA 24651	2.2963 acres 1/24 of 55.11 acres	3.9125%
(b.1.4) C. H. Combs	<i>Trustee until Martha Combs reached the age of 21</i>	
(b.1.4.1) Martha E. Combs Trust P.O. Box 1404 Abingdon, VA 24210	2.2963 acres 1/24 of 55.11 acres	3.9125%
(b.2) C. H. Combs Heirs, Devisees, Successors or Assigns		
(b.2.1) Trustee	<i>Trustee until the death of Marion S. Combs</i>	
(b.2.1.1) Marion S. Combs Heirs, Devisees, Successors or Assigns		
(b.2.1.1.1) Carol C. Irvin	<i>Conveyed by deed of gift dated 11/1/12 (Instr.12-2651)</i>	
(b.2.1.1.1.1) CIPL LP c/o John C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	1.1481 acres 1/48 of 55.11 acres	1.9563%
(b.2.1.1.2) Frederick Harmon Combs, II Heirs, Devisees, Successors or Assigns		
(b.2.1.1.2.1) F.H. Combs Testamentary Trust c/o Trustees PO Box 841 Tazewell, VA 24651	1.1481 acres 1/48 of 55.11 acres	1.9563%
(b.2.1.1.3) Martha E. Combs Trust P.O. Box 1404 Abingdon, VA 24210	1.1481 acres 1/48 of 55.11 acres	1.9563%
(b.2.1) Carol C. Irvin	<i>Conveyed by deed of gift dated 11/1/12 (Instr.12-2651)</i>	
(b.2.1.1) CIPL LP c/o John C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	1.1481 acres 1/48 of 55.11 acres	1.9563%
(b.2.2) Frederick Harmon Combs, II Heirs, Devisees, Successors or Assigns		
(b.2.2.1) F.H. Combs Testamentary Trust c/o Trustees PO Box 841 Tazewell, VA 24651	1.1481 acres 1/48 of 55.11 acres	1.9563%

170002298

Exhibit EE
Unit DD-3
Docket VGOB# 17-0718-4138
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit
(b.2.1.1.3) Martha E. Combs Trust P.O. Box 1404 Abingdon, VA 24210	1.1481 acres 1/48 of 55.11 acres	1.9563%
(b.3) Helen C. Johnson	<i>Conveyed 8/18/00 DB514/691)</i>	
(b.3.1) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	6.8888 acres 1/8 of 55.11 acres	11.7375%
	Total Acres Resolved	55.1100
	Total Percentage Resolved	93.9002%

INSTRUMENT 170002298
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
October 31, 2017 AT 10:28 AM
BEVERLY S. TILLER, CLERK
RECORDED BY: CXE