

VIRGINIA:

100002580

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER – VACATE ORDER
VGOB 06-0418-1615

ELECTIONS: UNIT V-8
(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 June 22, 2006 which was recorded at Document 060002244 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 6, 2006, (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 V-8;

Order: By this Order, the Board orders that its prior pooling order entered herein be vacated for the reason that all owners and claimants to CBM in the Unit have agreed with the Applicant to develop same and that any and all funds escrowed with the Board’s escrow agent be disbursed to the Board’s Designated Operator to pay or suspend as the terms of the agreements by and between the Applicant and the owners and claimants may require and allow.

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 23 day of August, 2010, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 23 day of August, 2010, by Order of the Board.

David E. Asbury Jr.
David E. Asbury, Jr.,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF ~~WASHINGTON~~

Russell
Acknowledged on this 23rd day of August, 2010, 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 David E. Asbury Jr., 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
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 CBM V-8
VGOB 06-0418-1615 in the Prater Magisterial 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 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 June 22, 2006, 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 July 6, 2006;

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

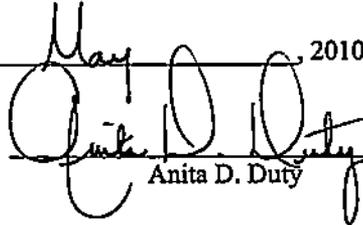
That all of the Respondents identified in Exhibit B-3 hereto have entered into voluntary agreements whereby they have leased and/or otherwise agreed with Applicant to a plan to develop their interests and claims within the unit to CBM. Hence, said unit may be voluntarily pooled.

See attached Exhibit B-2 and B-3 (Unit is 100% under Lease and/or Agreement).

That in light of the Agreement(s) described above, it is no longer necessary for the Board to maintain an escrow account/sub accounts pertaining to the above referenced CBM Unit, if applicable.

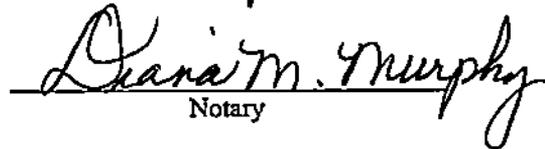
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 13th day of May, 2010.

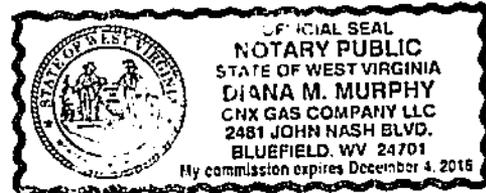

Anita D. Duty

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 13th day of May, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

N 328,788.81
E 957,265.38

N 328,718.24
E 959,129.95

N 326,919.87
E 957,194.63

N 326,849.22
E 959,059.27

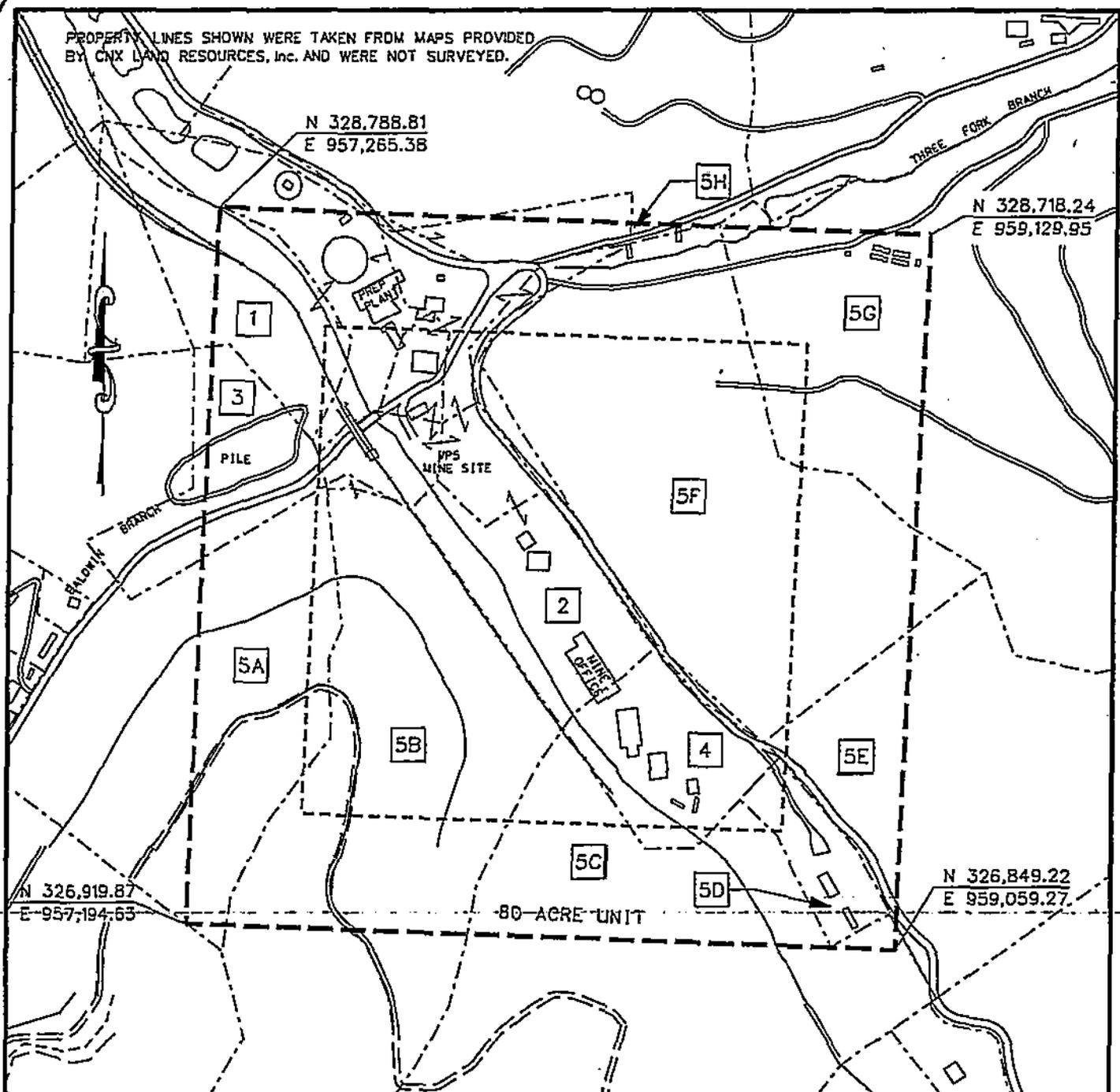
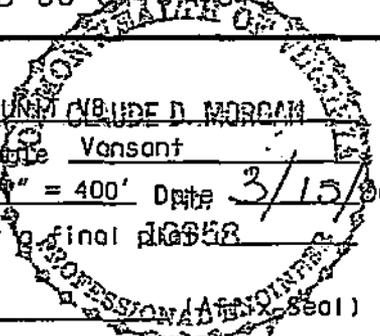


EXHIBIT A
OAKWOOD FIELD
UNIT V-8
FORCE POOLING
VGOB-06-0418-1545

Company CNX Gas Company LLC Well Name and Number UNIT V-8 WIDE D. MORGAN
Tract No. _____ Elevation _____ Quadrangle Vansant
County Buchanan District Prater Scale: 1" = 400' Date 3/15/06
This plat is a new plat X ; on updated plat _____ ; or a final plat 10358

Form DGO-GO-7
Rev. 9/91

Charles D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT V8
Tract Identifications
(80 Acre Unit)

1. Billy E. Keen, et al – Coal Below Tiller Seam
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface and All Minerals Except Coal
Below Tiller Seam
6.66 acres 8.3250%
2. Edna L. Keene – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface
10.46 acres 13.0750%
3. Edna L. Keene – All Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface and All Minerals Except
Coal
2.44 acres 3.0500%
4. Island Creek Coal Company/Consol Energy, Inc. – Fee
3.72 acres 4.6500%
- 5A. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
7.06 acres 8.8250%
- 5B. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
13.18 acres 16.4750%
- 5C. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
~~Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas~~
6.78 acres 8.4750%
- 5D. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
William E. Rife, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and Coalseam Gas Leased
1.69 acres 2.1125%

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CNX Gas Company LLC
UNIT V8
Tract Identifications
(80 Acre Unit)

- 5E. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
2.93 acres 3.6625%
- 5F. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
18.09 acres 22.6125%
- 5G. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
6.70 acres 8.3750%
- 5H. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface, Oil and Gas
0.29 acres 0.3625%

Exhibit B-2
Unit V-8
Docket #VGOB 06-0418-1615
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 10.4410%	Reason for Dismissal
I. COAL OWNERSHIP				
<u>Tract #1 - 6.66 acres</u>				
(1) Billy E. Keen, et al.	6.66 acres	8.3250%	0.8692%	
(d) Cathy Rakowski 3871 Earl L. Cone Road Morgantown, WV 26508	1.110 acres 1/6 of 6.66 acres	1.3875%	0.1449%	Leased
<u>Tract #2 - 10.46 acres</u>				
(1) Edna L. Keene Heirs, Devisees, Successors or Assigns	10.46 acres	13.0750%	1.3652%	
(d) Cathy Rakowski 3871 Earl L. Cone Road Morgantown, WV 26508	1.743 acres 1/6 of 10.46 acres	2.1792%	0.2275%	Leased
<u>Tract #3 - 2.44 acres</u>				
(1) Edna L. Keene Heirs, Devisees, Successors or Assigns	2.44 acres	3.0500%	0.3185%	
(d) Cathy Rakowski 3871 Earl L. Cone Road Morgantown, WV 26508	0.407 acres 1/6 of 2.44 acres	0.5083%	0.0531%	Leased
II. OIL & GAS OWNERSHIP				
<u>Tract #2 - 10.46 acres</u>				
(1) Edna L. Keene Heirs, Devisees, Successors or Assigns	10.46 acres	13.0750%	1.3652%	
(d) Cathy Rakowski 3871 Earl L. Cone Road Morgantown, WV 26508	1.743 acres 1/6 of 10.46 acres	2.1792%	0.2275%	Leased

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Exhibit B-3
Unit V-8
Docket #VGOB 06-0418-1615
List of Unleased Owners/Claimants

Acres in Unit	Percent of Unit	Interest in VP8-2 South Panel 10.4410%
<i>Unit 100% leased</i>		

INSTRUMENT #100002580
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
SEPTEMBER 21, 2010 AT 02:42PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB