

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 06-0718-1670 & 06-0718-1670-01

ELECTIONS: UNIT P(-4)
(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 November 15, 2006 and November 17, 2006 which were recorded in Document # 060003841 and at Document #080004232 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on November 6, 2008 and November 12, 2008, respectively (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 P(-4);

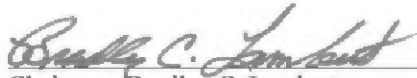
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, 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.

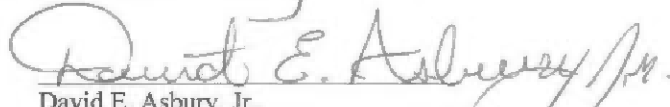
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 9 day of Feb, 2010, by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 9th day of February, 2010, by Order of the Board.


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

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 9th day of February, 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, 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 Unit P(-4)
VGOB 06-0718-1670 & 06-0718-1670-01 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A 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 Orders entered on November 15, 2006 and November 6, 2008 respectively, 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 Orders were recorded on November 17, 2006 and November 12, 2008 respectively;

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(s) of November 15, 2006 and November 6, 2008 respectively;

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

PROPERTY LINES SHOWN ON THIS PLAT WERE
TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE
AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

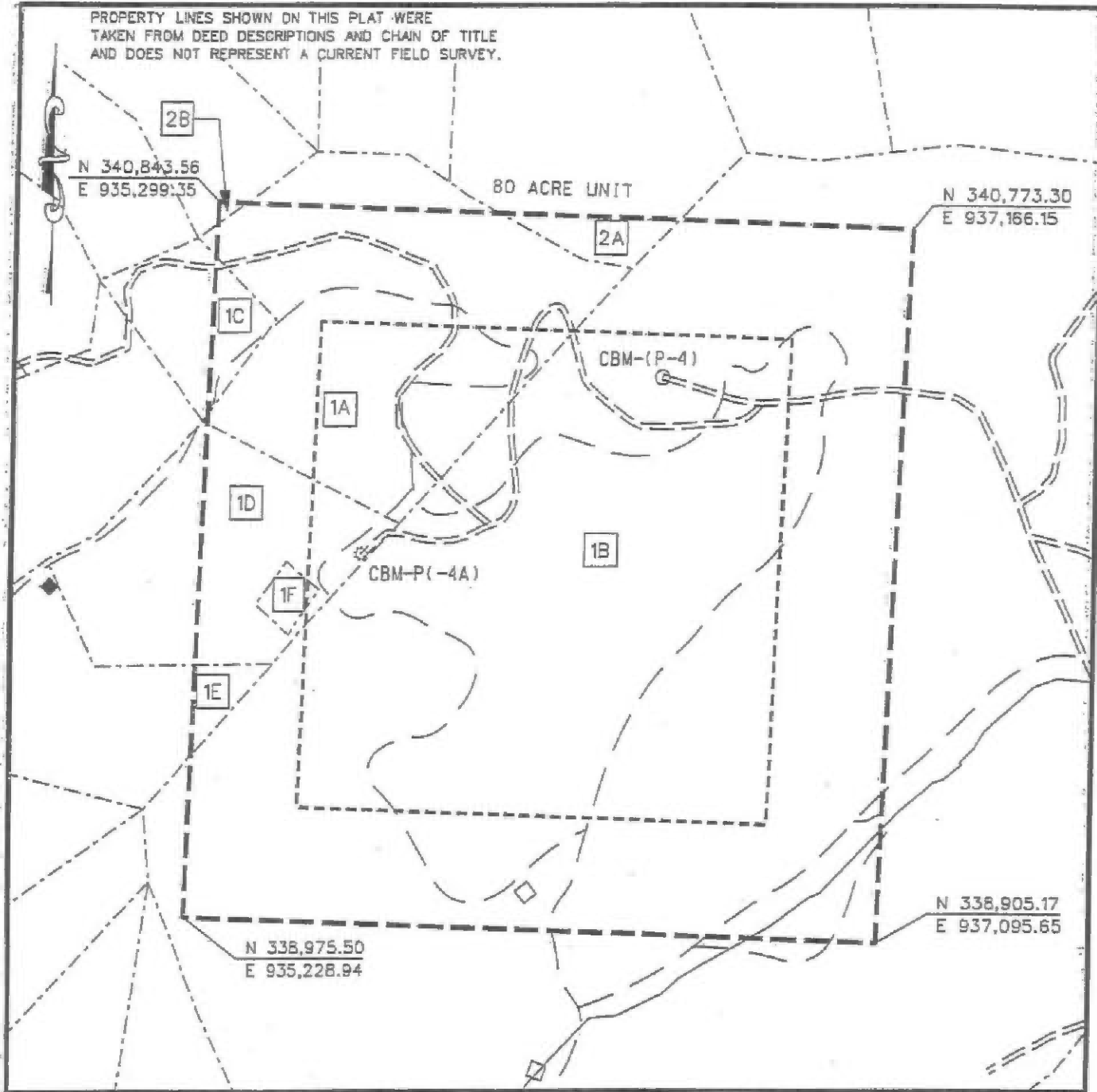
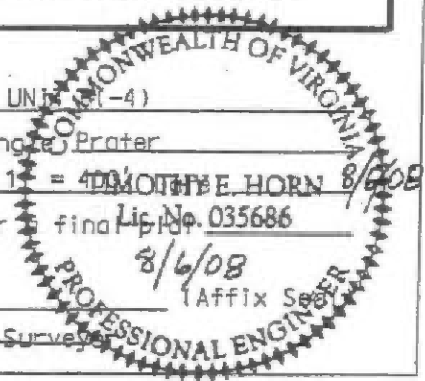


EXHIBIT A
DAKWOOD FIELD
UNIT P-(-4)
FORCE POOLING
VGDB-06-071B-1670-01

Company CNX Gas Company LLC Well Name and Number UNIT P-(-4)
 Tract No. _____ Elevation _____ Quadrangle Prater
 County Buchanan District Prater Scale: 1" = 400'
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7
Rev. 9/91

[Signature]
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit P (-4)

Tract Identifications

1. F.H. Combs, II, Testamentary Trust, et al (1010 Acre Tract) – All Minerals
Pyxis Resources Company/Paramont Coal Corp. – Coal in Clintwood, Eagle and Blair Seams Leased
CNX Gas Company, LLC – Oil, Gas and CBM Leased
79.10 acres 98.8750%

- 1A. Danny Owens, et ux – Surface Owner
- 1B. Paulette Sullivan – Surface Owner
- 1C. Barbara Bowman Wagner – Surface Owner
- 1D. Evelyn M. Belcher – Surface Owner
- 1E. Jack D. Owens – Surface Owner
- 1F. Unknown Surface Owner (CEMETERY)

- 2A. ACIN LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal Leased except the Splash Dam Seam
Floyd L. Charles, et ux – Surface and all Minerals except Coal
Range Resources – Pine Mountain, Inc. – Oil, Gas and CBM Leased
0.85 acres 1.0625%

- 2B. ACIN LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal Leased except the Splash Dam Seam
Flora Stewart – Surface and all Minerals except Coal
0.05 acres 0.0625%

Exhibit E
Unit P(-4)
Docket #VGOB 06-0718-1670-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #2B - 0.05 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) ACIN LLC c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	0.05 acres	0.0625%
<u>OIL & GAS OWNERSHIP</u>		
(1) Flora Stewart PO Box 536 Vansant, VA 24656	0.05 acres	0.0625%

INSTRUMENT #100000523
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 12, 2010 AT 02:58PM

BEVERLY S. TILLER, CLERK
RECORDED BY: NKE