

853

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 00-1121-0841

ELECTIONS: UNIT E-26
(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 modifying and supplementing the Order previously in the captioned matter on May 1, 2001 which was recorded at Deed Book 523, Page 485 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on May 7, 2001, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that: After the entry of the aforementioned Supplemental Order in this matter, the Applicant and the parties/respondents identified in the annexed affidavit entered into a voluntary agreement whereby the said respondents assigned all of their right title and interest in the said Unit to the Applicant, and further, agreed to withdraw their prior election(s) to participate. Also, the tract identification page and attached exhibits have been changed to reflect the new mapping that has taken place since the pooling order was entered.

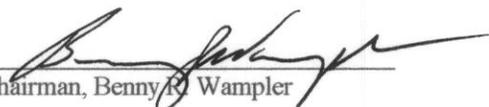
Order: By this Order, the Board dismisses the parties identified in the annexed affidavit as respondents and cancels their participation elections in the Unit in question. In addition, to the extent escrow was required and to the extent it pertained to the elections and interests of the respondents hereby dismissed, the Applicant is hereby directed to provide the Board with reconciliation of its and the Escrow Agents records so that any funds affected by this Order may be disbursed in an appropriate manner.

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 or who is hereby dismissed 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 15th day of February, 2005, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF ~~WISE~~ ^{Washington}

Acknowledged on this 5th day of February, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett
Susan G. Garrett
Notary

My commission expires: 9/30/05

DONE AND PERFORMED THIS 18th day of February, 2005, by Order of the Board.

B. R. Wilson
B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 18th day of February, 2005, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.

Diane J. Davis
Diane J. Davis, Notary

My commission expires: 9/30/05

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Buchanan Production Company for Forced Pooling of Interests in CBM Unit E-26
VGOB 00-1121-0841 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX Gas Company LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager - Environmental / Permitting and
is duly authorized to make this affidavit on behalf of CNX Gas Company LLC, the designated operator,

That after the entry of a Supplemental Order in this matter, the Applicant and the parties/respondents identified
below entered into a voluntary agreement whereby the said respondents assigned all of their right, title and interest
in the said Unit to the Applicant, and further, agreed to withdraw their prior election(s) to participate:

GeoMet, Inc., Highland Resources, Inc.

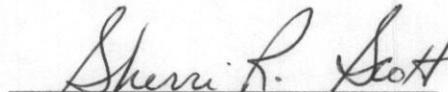
That the following persons should be dismissed as respondents (See Exhibit B-2):

GeoMet, Inc., Highland Resources, Inc., Yukon Pocahontas Coal Company, Buchanan Coal
Company, Sayers-Pocahontas Coal Company and Plum Creek Timberlands, L.P.

Dated at Tazewell, Virginia, this 27th day of JANUARY, 2005.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Manager - Environmental / Permitting of
CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 27th day of
January, 2005.


Notary

My commission expires: 11/30/05

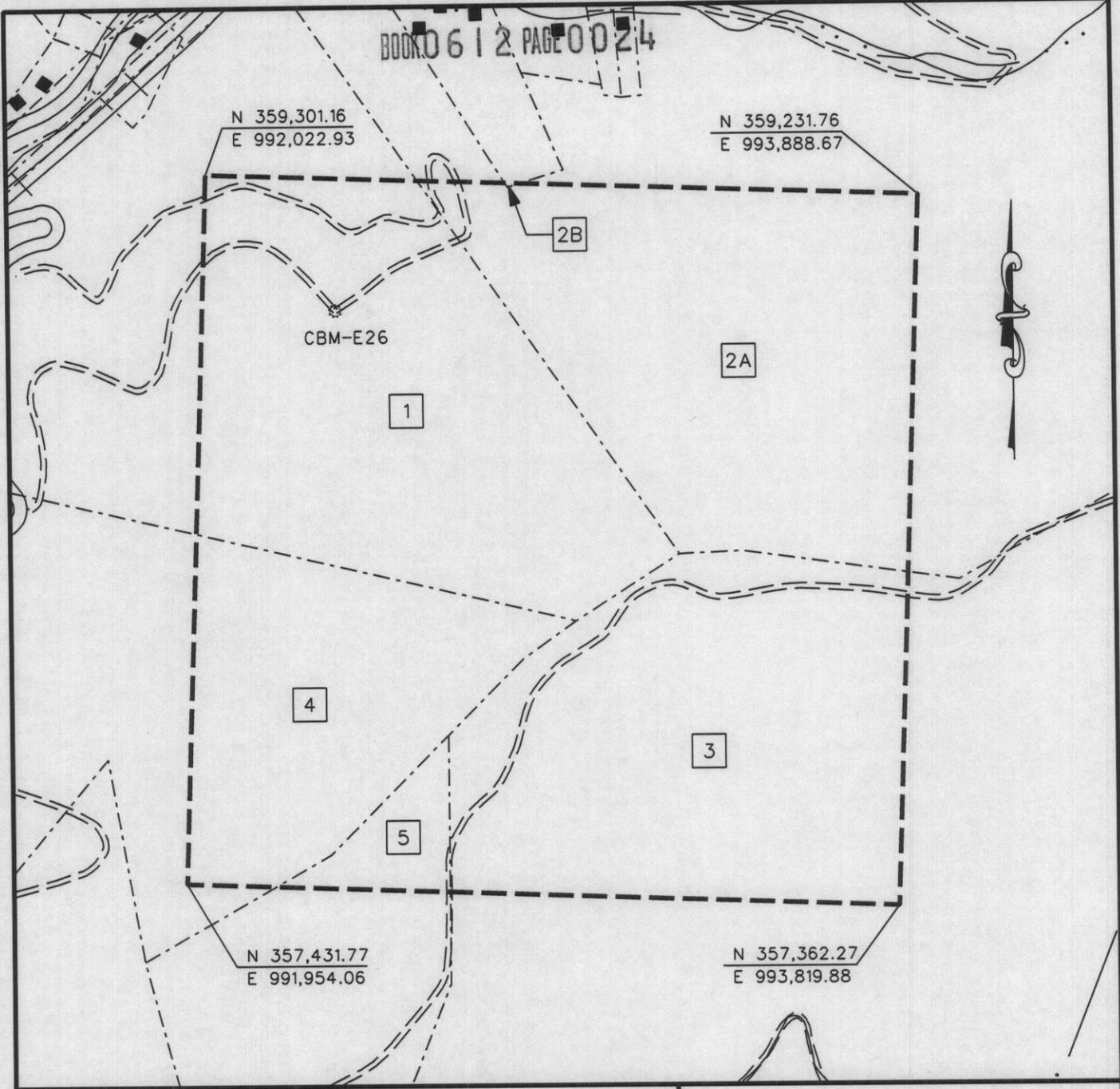
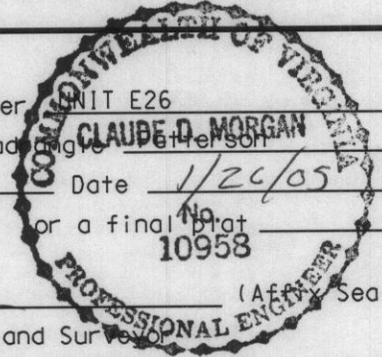


EXHIBIT A
 OAKWOOD FIELD UNIT E-26
 FORCE POOLING
 VGOB-00-1121-0841

Company CONSOL Inc. Well Name and Number UNIT E26
 Tract No. _____ Elevation _____ Quad angle _____
 County Buchanan District Garden Scale: 1" = 400' Date 1/26/05
 This plat is a new plat ; an updated plat _____ ; or a final plat _____



Form DGO-GO-7
 Rev. 9/91

Claude D. Morgan
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)

CNX Gas Company LLC**Unit E-26****Tract Identifications**

1. **C.L. Ritter Lumber Co. - Tr. 24 – All Minerals**
Island Creek Coal Company/Consol Energy, Inc.- Below Drainage Coal Leased
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
C. L. Ritter Lumber Co., et al. - Surface
22.61 Acres 28.2625%

2. **C.L. Ritter Lumber Co. - Tr. 22 – All Minerals**
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
21.06 Acres 26.3250%

- 2A. **Jerry D. Boyd, et al – Surface**
- 2B. **Unknown Surface Owner**

3. **Yukon Pocahontas Coal Co, et al - Tr. 36 – All Minerals**
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
21.82 Acres 27.2750%

4. **C.L. Ritter Lumber Co. - Tr. 25 – All Minerals**
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
C.L. Ritter Lumber Co., et al. - Surface
12.64 Acres 15.8000%

5. **C.L. Ritter Lumber Co.- Tr. 26 –All Minerals**
Island Creek Coal Company/Consol Energy, Inc. - Below Drainage Coal Leased
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
Unknown Surface Owner
1.87 acres 2.3375%

Exhibit B-2
Unit E-26 **BOOK 0612 PAGE 0026**
Docket # VGOB - 00-1121-0841
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL FEE OWNERSHIP			
<u>Tract #3, 21.82 acres</u>			
(1) Yukon Pocahontas Coal Co. et al. - Tr. 36	21.82 acres	27.2750%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	10.91 acres 1/2 of 21.82 acres	13.6375%	Leased
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	2.42 acres 1/9 of 21.82 acres	3.0306%	Leased
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.21 acres 1/18 of 21.82 acres	1.5153%	Leased
(d) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	7.27 acres 1/3 of 21.82 acres	9.0917%	Leased / later Sold
CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	7.27 acres 1/3 of 21.82 acres	9.0917%	Purchased Plum Creek's Coal interest (Plum Creek retained CBM)
<u>CBM LESSEE:</u>			
(a) GeoMet, Inc. 5336 Stadium Trace Parkway, Suite 206 Birmingham, AL 35244			Leased (Election Withdrawn)
(a) Highland Resources, Inc. 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303			Leased (Election Withdrawn)
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #3, 21.82 acres</u>			
(1) Yukon Pocahontas Coal Co. et al. - Tr. 36	21.82 acres	27.2750%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	10.91 acres 1/2 of 21.82 acres	13.6375%	Leased
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	2.42 acres 1/9 of 21.82 acres	3.0306%	Leased
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.21 acres 1/18 of 21.82 acres	1.5153%	Leased
(d) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	7.27 acres 1/3 of 21.82 acres	9.0917%	Leased
<u>CBM LESSEE:</u>			
(a) GeoMet, Inc. 5336 Stadium Trace Parkway, Suite 206 Birmingham, AL 35244			Leased (Election Withdrawn)

Docket # VGOB - 00-1121-0841
List of Respondents to be Dismissed

Acres in Unit	Percent of Unit	Reason for Dismissal
(a) Highland Resources, Inc. 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303		Leased (Election Withdrawn)

Acres in Unit Percent of
Unit

This unit is 100% leased.

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 18th day of February, 2005 2:50 P M. The tax imposed by §587.1-802 of the Code has been paid in the amount of \$.
Deed Book No. 62 and Page No. 27. TESTE: James M. Bevins, Jr., Clerk
Returned to: Samme. TESTE: Jewely S. Miller Deputy Clerk