

852

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 01-1016-0942

ELECTIONS: UNIT D-23
(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 June 14, 2002 which was recorded at Deed Book 549, Page 301 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 24, 2002, (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.

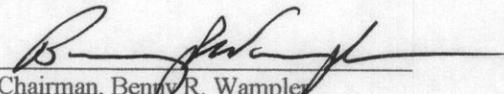
Order: By this Order, the Board dismisses the parties identified in the annexed affidavit as respondents and cancels their participation elections in the Unit in question. In addition, to the extent escrow was required and to the extent it pertained to the elections and interests of the respondents hereby 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 15th 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.

Diane J. Davis
~~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 D-23
VGOB 01-1016-0942 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,

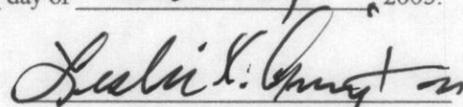
That after the entry of a Supplemental Order in this matter, the Applicant and the parties/respondents identified
below entered into a voluntary agreement whereby the said respondents assigned all of their right, title and interest
in the said Unit to the Applicant, and further, agreed to withdraw their 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. and Plum Creek Timberlands, L.P., Leroy G. Crenshaw,
III, Dorothy Crenshaw Cronk, Charles Walford Crenshaw and Eastern American Energy Corporation.

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

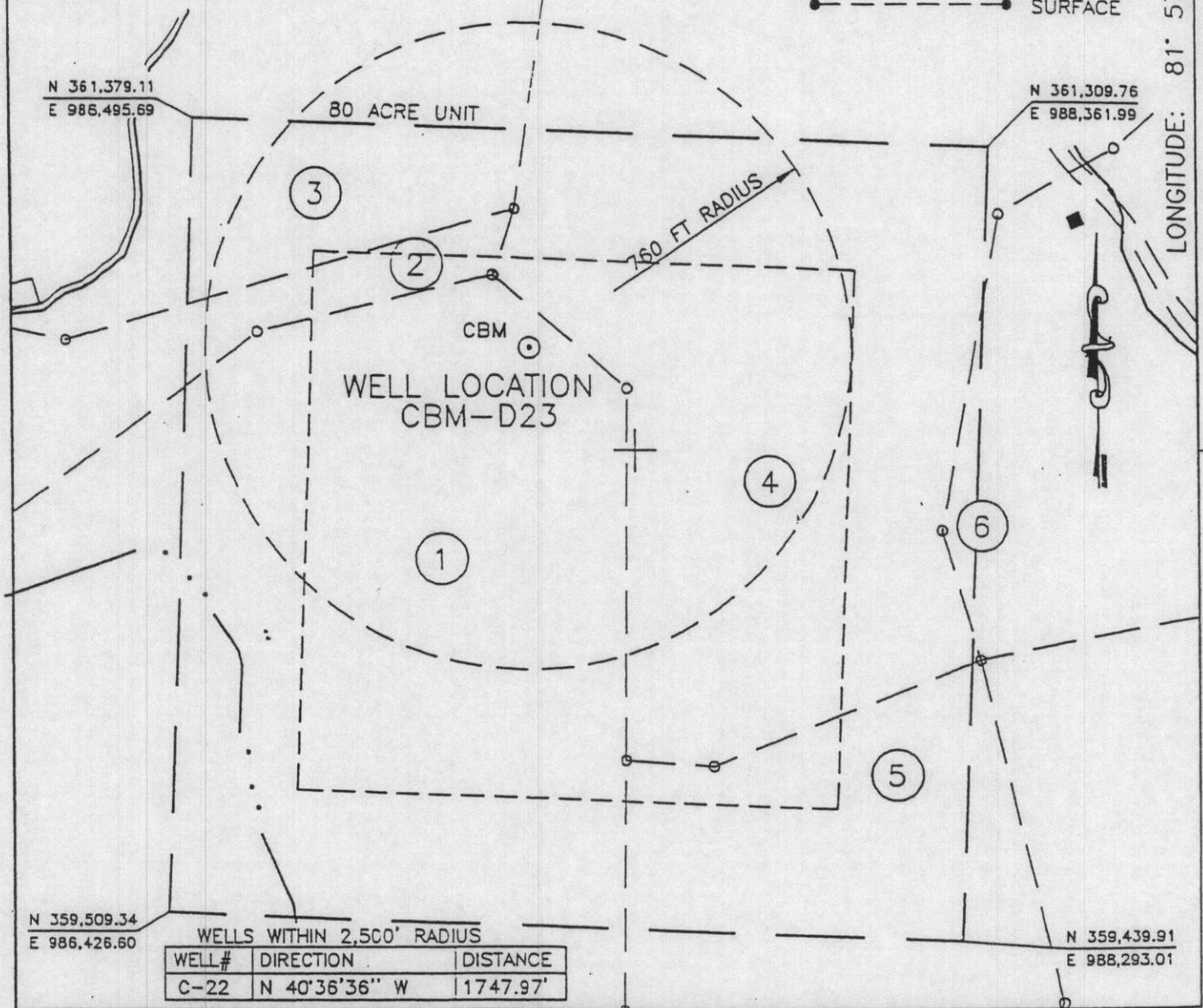
My commission expires: 11/30/05

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS AND DEEDS PREPARED BY CONSOL ENERGY, Inc. AND DO NOT REPRESENT A CURRENT SURVEY

LATITUDE: 37° 17' 30"

BEARING BASIS:
VIRGINIA STATE PLANE - SOUTH ZONE - NAD'27

○ ——— ○ MINERAL
● - - - ● SURFACE



N 361,379.11
E 986,495.69

80 ACRE UNIT

N 361,309.76
E 988,361.99

160 FT RADIUS

CBM

WELL LOCATION
CBM-D23

N 359,509.34
E 986,426.60

WELLS WITHIN 2,500' RADIUS

WELL #	DIRECTION	DISTANCE
C-22	N 40°36'36" W	1747.97'

N 359,439.91
E 988,293.01

THE ACTUAL WELL LOCATION WILL BE WITHIN 10 FEET OF THE PROPOSED LOCATION ACCORDING TO 4 VAC 25-150-290 AND 45.1-361.30

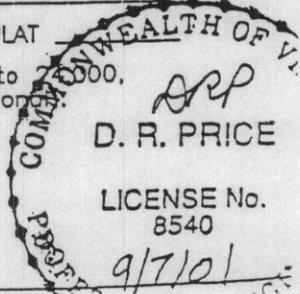
WELL LOCATION PLAT

COMPANY CONSOL ENERGY, INC WELL NAME OR NUMBER CBM-D23
 TRACT NUMBER W.W. BALDWIN HEIRS QUADRANGLE PATTERSON
 DISTRICT: GARDEN
 WELL COORDINATES (VIRGINIA STATE PLANE): STATE PLANE N 360,839.86 E 987,282.30
 ELEVATION: 2,280.0' METHOD USED TO DETERMINE ELEVATION: USGS TOPOGRAPHIC MAPPING
 COUNTY BUCHANAN Scale: 1" = 400' Date 09-04-01
 THIS PLAT IS A NEW PLAT ; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT

✦ Denotes the location of a well on United States Topographic Maps, scale 1 to 25000, latitude and longitude lines being represented by border lines as shown (optional).

D.R. Price

Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)



CONSOL ENERGY, INC.

UNIT D-23

Tract Identifications

1. J.W.W. Baldwin Heirs, Successors, and Assigns – Surface, Coal, Oil, and Gas
Coal Lessees
Island Creek Coal Co. – Coal below the Tiller Seam (94.21237%)
Eastern American Energy Corp. – Oil, and Gas Leased (1/12?)
Buchanan Production Co. – CBM Lessee (98.9871%)
34.20 Acres 43.75 %
2. Slocum Land Corp. – Coal, Oil and Gas
Coal Lessees
Island Creek Coal Co. – Coal below the Tiller Seam
Coal Energy Inc. – Coal above the water level
Buchanan Production Co. – CBM Lessee
2.27 Acres 2.8375 %
3. C.L. Ritter Lumber Co. – Coal, Oil and Gas
Coal Lessee
Island Creek Coal Co. – Coal below the Tiller Seam
Buchanan Production Co. – CBM Lessee
5.46 Acres 6.8250 %
4. Yukon Pocahontas Coal Co./Buchanan Coal Co./Sayers-Pocahontas Coal Co. – 2/3 Coal, Oil & Gas
North American Timber Corp. – 1/3 Coal, Oil and Gas
Coal Lessees
Island Creek Coal Co. – Coal Below the Tiller Seam
North American Timber Corp. and their apparent Lessees
GeoMet, Inc., and Highland Resources, Inc., CBM Lessees (1/3)
Buchanan Production Co. –CBM Lessee (2/3)
28.43 Acres 35.5375 %
5. Yukon Pocahontas Coal Co./Buchanan Coal Co./Sayers-Pocahontas Coal Co. – 2/3 Coal, Oil & Gas
North American Timber Corp. – 1/3 Coal, Oil and Gas
Coal Lessees
Island Creek Coal Co. – Coal below the Tiller Seam
North American Timber Corp. and their apparent Lessees
GeoMet, Inc., and Highland Resources, Inc., CBM Lessees (1/3)
Buchanan Production Co.- CBM Lessee (2/3)
8.91 Acres 11.1375 %
6. Leroy G. Crenshaw III, Dorothy C. Cronk, and C. Walford Crenshaw - Surface, Coal, Oil & Gas
Coal Lessees
Eastern American Energy Corp. Oil, and Gas, and CBM Lessee
Island Creek Coal Co. – Coal below the Tiller Seam
0.73 Acres 0.9125 %

List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL FEE OWNERSHIP			
<u>Tract #4, 28.43 Acres</u>			
(4) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	9.48 acres 1/3 of 28.43 acres	11.8458%	Leased / later Sold
CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	9.48 acres 1/3 of 28.43 acres	11.8458%	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)
<u>Tract #5, 8.91 Acres</u>			
(4) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	2.97 acres 1/3 of 8.91 acres	3.7125%	Leased / later Sold
CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	2.97 acres 1/3 of 8.91 acres	3.7125%	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)
<u>Tract #6, 0.73 acres</u>			
(1) Leroy Crenshaw III, et al.	0.73 acres	0.9125%	
(a) Leroy G. Crenshaw III 2624 Linnbrook Drive Richmond, VA 23228	0.243 acres 1/3 of 0.73 acres	0.3042%	Leased
(b) Dorothy Crenshaw Cronk 13751 Elmstead Road Midlothian, VA 23113	0.243 acres 1/3 of 0.73 acres	0.3042%	Leased
(c) Charles Walford Crenshaw 3133D Stony Point Road Richmond, VA 23235	0.243 acres 1/3 of 0.73 acres	0.3042%	Leased

Docket # VGOB 01-1016-0942
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
<u>CBM LESSEE:</u>			
(a) Eastern American Energy Corporation 501 56th Street Charleston, WV 25304			Purchased Lease
II. <u>OIL & GAS FEE OWNERSHIP</u>			
<u>Tract #4, 28.43 Acres</u>			
(4) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	9.48 acres 1/3 of 28.43 acres	11.8458%	Leased
<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)
<u>Tract #5, 8.91 Acres</u>			
(4) Plum Creek Timberlands, L.P. Natural Resources Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	2.97 acres 1/3 of 8.91 acres	3.7125%	Leased
<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)
<u>Tract #6, 0.73 acres</u>			
(1) Leroy Crenshaw III, et al.	0.73 acres	0.9125%	
(a) Leroy G. Crenshaw III 2624 Linnbrook Drive Richmond, VA 23228	0.243 acres 1/3 of 0.73 acres	0.3042%	Purchased lease from Eastern American
(b) Dorothy Crenshaw Cronk 13751 Elmstead Road Midlothian, VA 23113	0.243 acres 1/3 of 0.73 acres	0.3042%	Purchased lease from Eastern American
(c) Charles Walford Crenshaw 3133D Stony Point Road Richmond, VA 23235	0.243 acres 1/3 of 0.73 acres	0.3042%	Purchased lease from Eastern American

Docket # VGOB 01-1016-0942
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
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CBM LESSEE:

(a) Eastern American Energy Corporation
501 56th Street
Charleston, WV 25304

Purchased
Lease

Docket # VGOB 01-1016-0942
 List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
I. COAL FEE OWNERSHIP			
Tract #1, 34.20 acres			
J. W. W. Baldwin Heirs, Devisees, Successors or Assigns, et al.	34.20 acres	42.75000%	
(1) J. W. W. Baldwin Heirs, Devisees, Successors or Assigns			
(20) Karen Baldwin 3230 West Ridge Houston, TX 77025	0.1979 acres 5/864 of 34.20 acres	0.24740%	Deemed Leased
(22) Michela Baldwin Rt.1 Box 1450 Sedgewick, ME 04676	0.0495 acres 1/691 of 34.20 acres	0.06187%	Deemed Leased
(25) David Carr Baldwin 915 N. Pennisula Drive #2 Daytona Beach, FL 32018	0.0495 acres 1/691 of 34.20 acres	0.06187%	Deemed Leased
II. OIL & GAS FEE OWNERSHIP			
Tract #1, 34.20 acres			
J. W. W. Baldwin Heirs, Devisees, Successors or Assigns, et al.	34.20 acres	42.75000%	
(1) J. W. W. Baldwin Heirs, Devisees, Successors or Assigns			
(20) Karen Baldwin 3230 West Ridge Houston, TX 77025	0.1979 acres 5/864 of 34.20 acres	0.24740%	Deemed Leased
(22) Michela Baldwin Rt.1 Box 1450 Sedgewick, ME 04676	0.0495 acres 1/691 of 34.20 acres	0.06187%	Deemed Leased
(25) David Carr Baldwin 915 N. Pennisula Drive #2 Daytona Beach, FL 32018	0.0495 acres 1/691 of 34.20 acres	0.06187%	Deemed 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. 618 and Page No. 29.
 Returned to: Dr. Smith TESTE James M. Bevins, Jr., Clerk
 TESTE Deevely S. Miller Deputy Clerk