

Withdrawn

ENTERED

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: BUCHANAN PRODUCTION COMPANY ) VIRGINIA GAS  
 ) AND OIL BOARD  
 RELIEF SOUGHT: APPLICATION TO MODIFY BOARD )  
 ORDER POOLING INTERESTS IN ) DOCKET NO.  
 DRILLING UNIT Y-2 OF THE ) 02-0115-0998-01  
 OAKWOOD COALBED METHANE GAS )  
 FIELD I (herein "Subject Drilling )  
 Unit") PURSUANT TO VA. CODE §§ )  
 45.1-361.21 AND 45.1-361.22 FOR THE )  
 PRODUCTION OF OCCLUDED )  
 NATURAL GAS FROM COALBED AND )  
 ROCK STRATA ASSOCIATED )  
 THEREWITH (herein referred to as )  
 "Coalbed Methane Gas" or "Gas") )

LEGAL DESCRIPTION:

DRILLING UNIT Y-2 )  
 VANSANT QUADRANGLE )  
 PRATER MAGISTERIAL DISTRICT, )  
 BUCHANAN COUNTY, VIRGINIA )  
 (herein the "Subject Lands") )

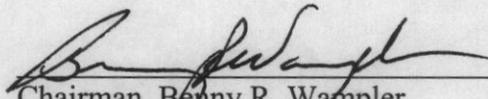
REPORT OF THE BOARD

ORDER OF DISMISSAL

1. Hearing Date and Place: At the Virginia Gas and Oil Board's hearing held April 16, 2002, at the Southwest Virginia Higher Education Center, Campus of Virginia Highlands Community College, Abingdon, Virginia, without objection, the Applicant withdrew its Application in this matter.
2. Appearances: Mark A. Swartz of the firm Swartz & Stump, L.C. appeared for the Applicant; and Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction: Pursuant to Va. Code § 45.1-361.1 *et seq.*, the Board finds that it has jurisdiction over the subject matter.

4. Relief Requested: Buchanan Production Company's application in this matter sought to have the Board: (1) modify its Order entered in Docket No. VGOB 02-0115-0998 on April 15, 2002 and filed with the Clerk of the Circuit Court of Buchanan County, VA in Deed Book 545 at Page 152 on April 22, 2002 (herein "Pooling Order") that pooled the Gas rights, interests and estates in Subject Drilling Unit for the drilling and operation, including production thereof, from the pool defined as all coalbed and coal seams below the Tiller Seam (hereafter "Subject Formation"); and (2) named Consol Energy Inc. as the Designated Operator of Subject Drilling Unit. At the hearing of this matter, Applicant asked that the Applicant be permitted to withdraw its Application to modify the Pooling Order without prejudice.
  
5. Relief Granted: There being no objections, the Board hereby grants Applicant's Motion to withdraw its Application to modify the Pooling Order filed in the above-styled cause and hereby dismisses said Application without prejudice.

DONE AND EXECUTED this 4<sup>th</sup> day of October, 2002, by the Chairman on behalf of the Virginia Gas and Oil Board.

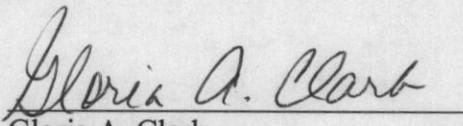
  
 Chairman, Benny R. Wampler

DONE AND PERFORMED this 7<sup>th</sup> day of October, 2002 by Order of the Board.

  
 B. R. Wilson  
 Principal Executive to the Staff  
 Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA     )  
 COUNTY OF WISE                    )

Acknowledged on this 4<sup>th</sup> day of October, 2002, 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.

  
 Gloria A. Clark  
 Notary Public

My commission expires December 31, 2002

COMMONWEALTH OF VIRGINIA )  
COUNTY OF WASHINGTON )

Acknowledged on this 7<sup>th</sup> day of October, 2002, 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 Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis  
Diane J. Davis  
Notary Public

My commission expires September 30, 2005

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

N 323,607.15  
E 945,863.63

N 323,536.39  
E 947,728.68

3

1

2B

2A

CBM-Y2

80 ACRE UNIT

N 321,738.71  
E 945,792.53

N 321,667.88  
E 947,657.63

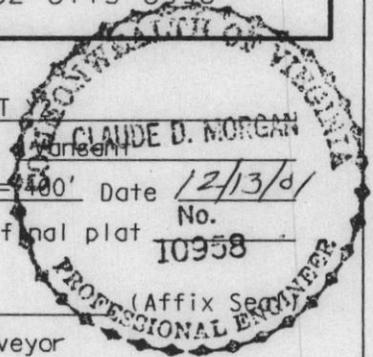


EXHIBIT A  
OAKWOOD FIELD UNIT Y-2  
FORCE POOLING  
VGOB-02-0115-0998

Company CONSOL Energy Inc. Well Name and Number UNIT  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Warrent  
County Buchanan District Prater Scale: 1" = 400' Date 12/13/01  
This plat is a new plat  ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_  
No. 10958

Form DGD-GD-7  
Rev. 9/91

*Claude D. Morgan*  
Licensed Professional Engineer or Licensed Land Surveyor



**CONSOL Energy, Inc.**  
**UNIT Y-2**  
**Tract Identifications**

1.     Levisa Coal Company Tr. 37 - Coal  
       Coal Lessees  
       Island Creek Coal Company - Below Drainage Coal Leased  
       Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
       John W. Pobst, Jr., et al. - Oil & Gas  
       Buchanan Production Company - Oil, Gas and CBM Leased  
       Buchanan Production Company - Surface  
       8.24 acres                   10.3000 %
  
2.     Levisa Coal Company Tr. 38 - Coal  
       Coal Lessee  
       Jewell Smokeless Coal Corp. - Tiller and Above Coal Leased  
       John W. Pobst, Jr., et al. - Oil & Gas  
       Buchanan Production Co. - Oil, Gas and CBM Leased  
       67.94 acres                84.9250 %
  
- 2A.    Thurman E. Boyd, et al. - Surface
- 2B.    Buchanan Production Company - Surface
  
3.     F. M. F. Boyd Heirs, et al. - Coal (Except % of Widow Kennedy and Above Coal Seams)  
       Rual Fuller/National Energy Corp. - (%) of Widow Kennedy and Above Coal Seams  
       F. M. F. Boyd Heirs, et al. - Oil & Gas (96.94% Ownership)  
       Buchanan Production Company - Oil & Gas (3.06% Ownership)  
       Coal Lessee  
       Island Creek Coal Company - Coal Below Tiller Seam Leased  
       Buchanan Production Company - (%) Oil, Gas and CBM Leased  
       Roger J. Lockhart, et al. - Surface  
       3.82 acres                4.7750 %