

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 03-1216-1242

ELECTIONS: UNIT BA-109  
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This revised 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 executed in the captioned matter on March 29, 2004 which was recorded at Deed Book 605, Page 609 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on April 2, 2004, (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 BA-109;

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, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty 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.

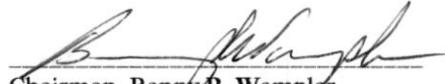
to be done  
there is still  
revised  
but no released

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 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.

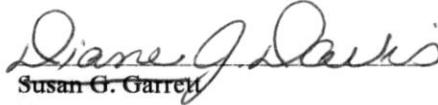
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18<sup>th</sup> day of April, 2006, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

STATE OF VIRGINIA  
COUNTY OF ~~WISE~~

Washington  
Acknowledged on this 18<sup>th</sup> day of April, 2006, 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. Garren  
Notary

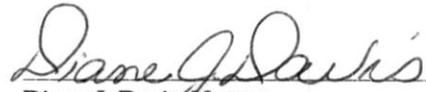
My commission expires: 9/30/09.

DONE AND PERFORMED THIS 19<sup>th</sup> day of April, 2006, by Order of the Board.

  
B. R. Wilson,  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 19<sup>th</sup> day of April, 2006, 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, Notary

My commission expires: 9/30/09.

0601324

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 4-25, 2006. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:05 o'clock AM, after payment of \$ tax imposed by Sec. 58.1-802.

TESTE: DOLLIE M. COMPTON, CLERK  
BY:  D. CLERK

Original returned this date to: D. Davis

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

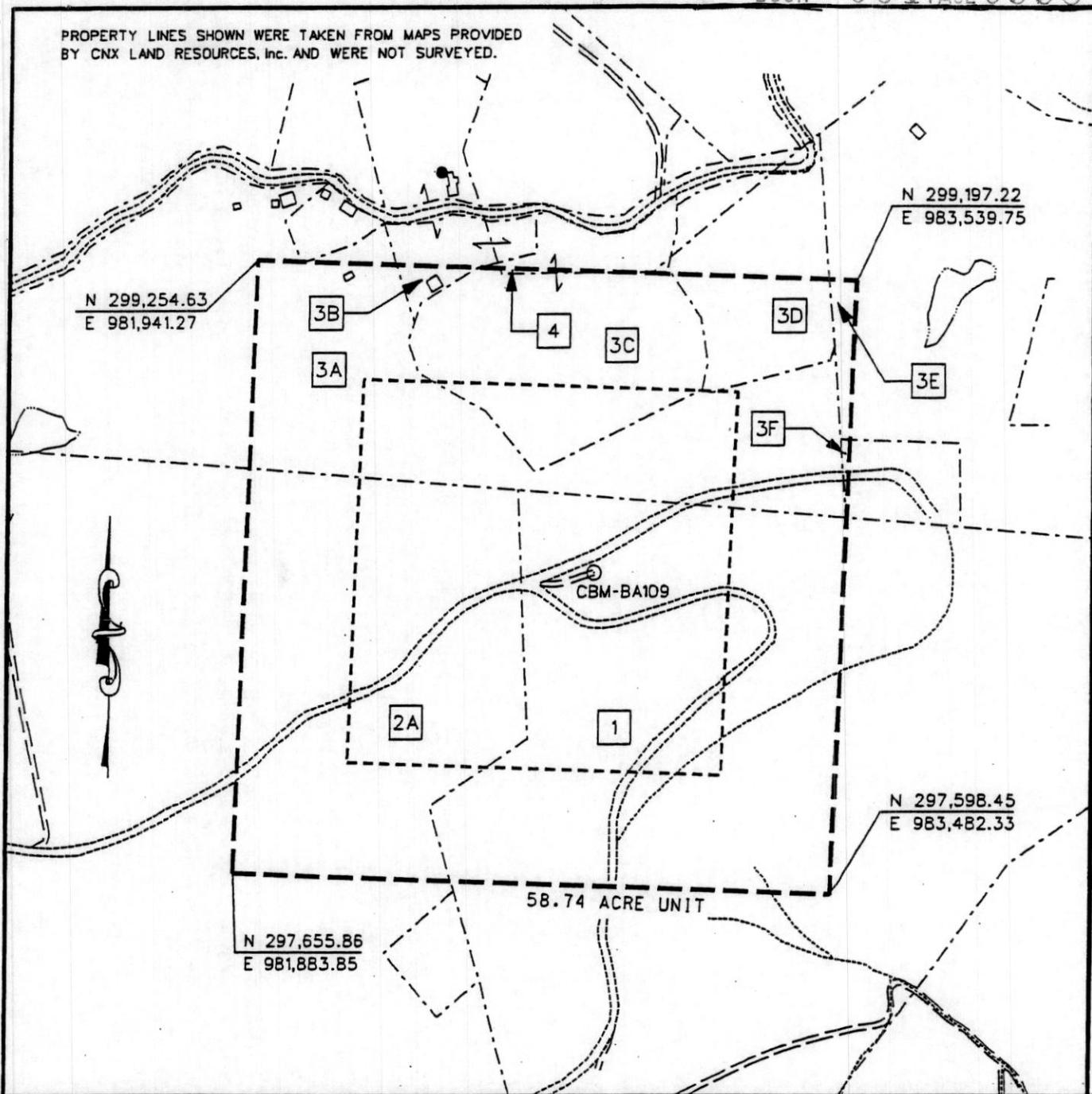
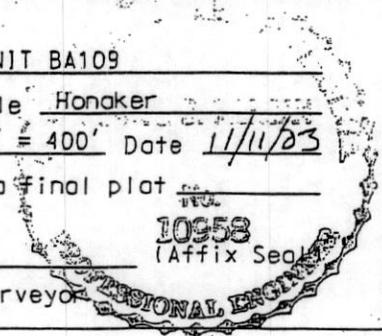


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT BA-109  
 FORCE POOLING  
 VGOB-03-1216-1242

Company CNX Gas Company LLC Well Name and Number UNIT BA109  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Honaker  
 County Russell District New Garden Scale: 1" = 400' Date 11/11/03  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
 Rev. 9/91

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



**CNX Gas Company LLC**  
**Unit BA-109**  
**Tract Identifications**  
**(58.74 Acre Unit)**

1. Buckhorn Coal Company (Warder # 11Tr.) - Fee  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
20.83 acres                      35.4614%
  
2. Buckhorn Coal Company (Joseph & Lewis Cox 143.84 Acre Tract) - All Minerals  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
16.69 acres                      28.4134%
  
- 2A. Fred B. Gent, et al - Surface
- 2B. Fred B. Gent, et al - Surface
  
- 3A. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Otis Garnett Fields - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
11.56 acres                      19.6799%
  
- 3B. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Otis J. Fields, et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.30 acres                      0.5108%
  
- 3C. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Robert C. Fields, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
6.66 acres                      11.3381%
  
- 3D. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Diane Fields, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
2.13 acres                      3.6261%

**CNX Gas Company LLC**  
**Unit BA-109**  
**Tract Identifications**  
**(58.74 Acre Unit)**

- 3E. **Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal Reserve Coal Properties Company - Below Drainage Coal Leased Knox Creek Coal Corporation - Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Maggie Lee Dye - Surface and All Minerals except Coal CNX Gas Company LLC - Oil, Gas and CBM Leased**  
0.45 acres                      0.7661%
- 3F. **Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal Reserve Coal Properties Company - Below Drainage Coal Leased Knox Creek Coal Corporation - Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Fred B. Gent, et al - Surface and All Minerals except Coal CNX Gas Company LLC - Oil, Gas and CBM Leased (66%)**  
0.06 acres                      0.1021%
4. **Buckhorn Coal Company (H. C. Stuart 405 Acre Tract) - Coal Reserve Coal Properties Company - Below Drainage Coal Leased Knox Creek Coal Corporation - Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Robert C. Fields, et al - Surface and All Minerals except Coal CNX Gas Company LLC - Oil, Gas and CBM Leased**  
0.06 acres                      0.1021%

Exhibit B-2  
Unit BA-109  
Docket #VGOB 03-1216-1242  
List of Respondents to be Dismissed  
(58.74 Acre Unit)

BOOK 651 PAGE 1001

	Acres in Unit	Interest in Unit	Election
<b>II. <u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
<b><u>Tract #3F, 0.06 acres</u></b>			
(1) Fred B. Gent, et al.	0.06 acres	0.1021%	
(a) Fred B. Gent, DVM 18159 Lee Highway Abingdon, VA 24210-7961	0.02 acres 1/3 of 0.06 acres	0.0340%	Joint Operating Agreement