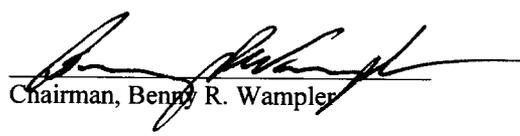


Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests 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 15th day of January, 2008 by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF ~~VA~~
Washington

Acknowledged on this 15th day of January, 2008, 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, 174394
Notary

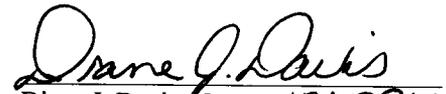
My commission expires: 9/30/09.

DONE AND PERFORMED THIS 15th day of January, 2008, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 15th day of January, 2008, 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 174394

My commission expires: 9/30/09.

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 BD-119
VGOB 04-0720-1310 in the New Garden District of Russell 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 the Order entered on December 14, 2004, 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 Order was recorded on December 15, 2004;

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 of December 14, 2004;

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

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

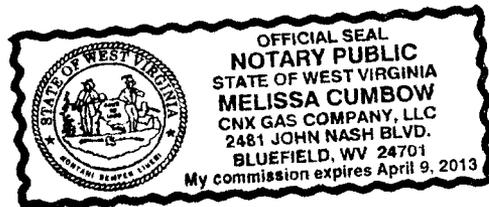
Dated at Bluefield, West Virginia, this 8th day of JANUARY, 2008.

Leslie K. Arrington
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager – Environmental Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 8th day of January, 2008.

Melissa Cumbow
Notary

My commission expires: Apr. 19, 2013



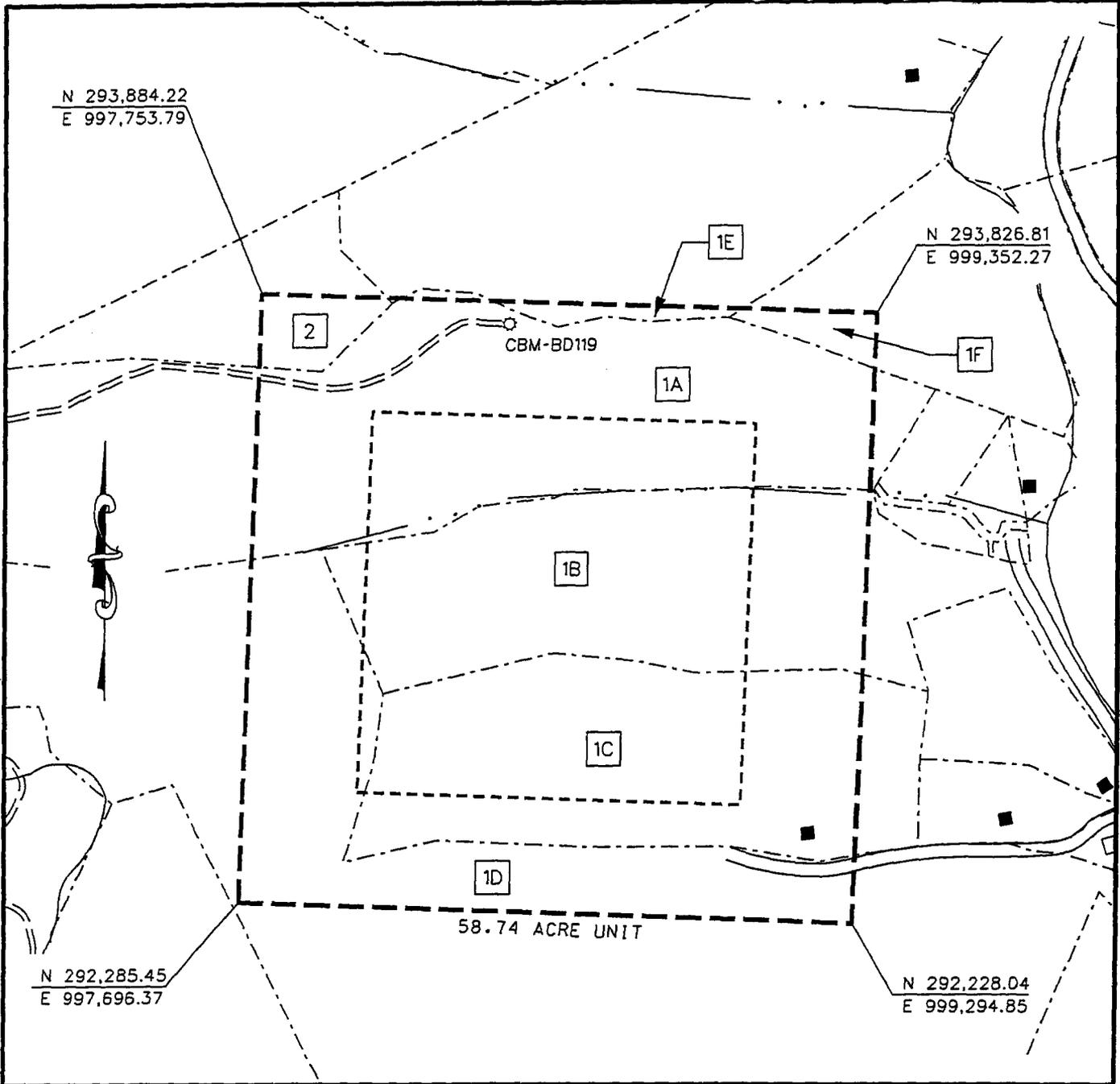
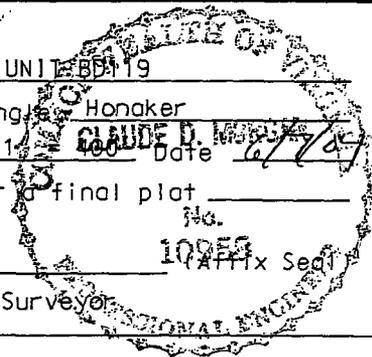


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT BD-119
 FORCE POOLING
 VGOB-04-0720-1310

Company CNX Gas Company LLC Well Name and Number UNIT BD-119
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 6/7/04
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Claude D. Meyer
 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit BD-119

**Tract Identifications
(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
H.C. Bostic Coal Company, Inc. – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
17.48 acres 29.7584%
- 1B. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Pearl Whited, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Albert Joseph Jones – Surface
13.62 acres 23.1869%
- 1C. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Gladys Hubbard – Surface and All Minerals except Coal
13.70 acres 23.3231%
- 1D. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Nellie L. Miller, et al – Surface and All Minerals except Coal
11.52 acres 19.6118%
- 1E. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
James Plaster Heirs, Successors or Assigns – Surface and All Minerals except Coal
0.54 acres 0.9193%
- 1F. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Charlie Powell, et ux. – Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
1.17 acres 1.9918%

Exhibit B-3
Unit BD-119
Docket #VGOB 04-0720-1310
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
I. COAL FEE OWNERSHIP		
<u>Tract #2, 0.71 acres</u>		
(1) E. P. Whited Heirs, Devisees, Successors or Assigns	0.71 acres	1.2087%
(o) Leslie G. Sigmon 2069 Beach Drive Akron, OH 44312	0.001 acres 0.0990% of 0.71 acres	0.0012%
(v) J.B. Whited Heirs, Devisees, Successors or Assigns c/o Geneva Chervenik 2942 Silver Lake Village Stow, OH 44224	0.001 acres 0.0794% of 0.71 acres	0.0010%
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1B, 13.62 acres</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	13.62 acres	23.1869%
(i) Pearl J. Whited 128 Glenwood Street Cedar Bluff, VA 24609	1.513 acres 1/9 of 13.62 acres	2.5763%
<u>Tract #1C, 13.70 acres</u>		
(1) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	13.70 acres	23.3231%
<u>Tract #1D, 11.52 acres</u>		
(1) Nellie L. Miller, et al. (a.k.a. Floyd Lockhart Heirs, Devisees,) Successors or Assigns)	11.52 acres	19.6118%
(a) Nellie Miller Rt.1 Box 123 Swords Creek, VA 24649	1.408 acres 11/90 of 11.52 acres	2.3970%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.128 acres 1/90 of 11.52 acres	0.2179%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	1.408 acres 11/90 of 11.52 acres	2.3970%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		

Exhibit B-3
Unit BD-119
Docket #VGOB 04-0720-1310
List of Unleased Owners/Claimants
(58.74 Acre Unit)

0002 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

	Acres in Unit	Interest in Unit
(d.1) Mark Cordill <i>Address Unknown</i>	0.704 acres 11/180 of 11.52 acres	1.1985%
(d.2) Patricia Cordill <i>Address Unknown</i>	0.704 acres 11/180 of 11.52 acres	1.1985%
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	1.408 acres 11/90 of 11.52 acres	2.3970%
(f) Evelyln L. Perkins 2411 South First Street Richlands, VA 24641	1.408 acres 11/90 of 11.52 acres	2.3970%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	1.408 acres 11/90 of 11.52 acres	2.3970%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	1.408 acres 11/90 of 11.52 acres	2.3970%
(i) Ralph C. Lockhart RR1 Box 200 Swords Creek, VA 24649	0.128 acres 1/90 of 11.52 acres	0.2179%
(i) Alan Dee Lockhart Heirs, Devisees, Successors or Assigns		
(i.1) Steve Lockhart <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%
(i.2) Randy Lockhart <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%
(i.3) Patricia Hulvey <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%
<u>Tract #1E, 0.54 acres</u>		
(1) James Plaster Heirs, Devisees, Successors or Assigns c/o Harvey Plaster RR2 Box 170 Honaker, VA 24260	0.54 acres	0.9193%
<u>Tract #2, 0.71 acres</u>		
(1) E. P. Whited Heirs, Devisees, Successors or Assigns	0.71 acres	1.2087%
(o) Leslie G. Sigmon 2069 Beach Drive Akron, OH 44312	0.001 acres 0.0990% of 0.71 acres	0.0012%

Exhibit B-3
Unit BD-119
Docket #VGOB 04-0720-1310
List of Unleased Owners/Claimants
(58.74 Acre Unit)

0000 312 12 12 12 12

	Acres in Unit	Interest in Unit
(v) J.B. Whited Heirs, Devisees, Successors or Assigns c/o Geneva Chervenik 2942 Silver Lake Village Stow, OH 44224	0.001 acres 0.0794% of 0.71 acres	0.0010%

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

0011A 11.1 10/07/08 11:13

	Acres in Unit	Interest in Unit
<u>Tract #1A, 17.48 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	17.48 acres	29.7583%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) H.C. Bostic Coal Company, Inc. P.O. Box 220 Swords Creek, VA 24649	17.48 acres	29.7583%
<u>Tract #1B, 13.62 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	13.62 acres	23.1869%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	13.62 acres	23.1869%
(a) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	1.513 acres 1/9 of 13.62 acres	2.5763%
(b) Betty W. Cole 511 Island Road Bristol, VA 24201	1.513 acres 1/9 of 13.62 acres	2.5763%
(c) Randall G. Whited 207 Center Street Richlands, VA 24641	1.513 acres 1/9 of 13.62 acres	2.5763%
(d) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	1.513 acres 1/9 of 13.62 acres	2.5763%
(e) Donna Plaster 105 Shannon Heights Richlands, VA 24641	1.513 acres 1/9 of 13.62 acres	2.5763%
(f) James P. Whited 2830 Sprague Street Winston Salem, NC 27107	1.513 acres 1/9 of 13.62 acres	2.5763%
(g) David A. Whited Box 215 Richlands, VA 24641	1.513 acres 1/9 of 13.62 acres	2.5763%

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

09/08 11:21 AM

	Acres in Unit	Interest in Unit
(i) Pearl J. Whited 128 Glenwood Street Cedar Bluff, VA 24609	1.513 acres 1/9 of 13.62 acres	2.5763%
<u>Tract #1C, 13.70 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	13.70 acres	23.3231%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	13.70 acres	23.3231%
<u>Tract #1D, 11.52 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	11.52 acres	19.6118%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Nellie L. Miller, et al. (a.k.a. Floyd Lockhart Heirs, Devisees, Successors or Assigns)	11.52 acres	19.6118%
(a) Nellie Miller Rt.1 Box 123 Swords Creek, VA 24649	1.408 acres 11/90 of 11.52 acres	2.3970%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.128 acres 1/90 of 11.52 acres	0.2179%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	1.408 acres 11/90 of 11.52 acres	2.3970%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		
(d.1) Mark Cordill Address Unknown	0.704 acres 11/180 of 11.52 acres	1.1985%
(d.2) Patricia Cordill Address Unknown	0.704 acres 11/180 of 11.52 acres	1.1985%
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	1.408 acres 11/90 of 11.52 acres	2.3970%

**Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)**

Date: 1/8/2008 10:07 AM

	Acres in Unit	Interest in Unit
(f) Evylyn L. Perkins 2411 South First Street Richlands, VA 24641	1.408 acres 11/90 of 11.52 acres	2.3970%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	1.408 acres 11/90 of 11.52 acres	2.3970%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	1.408 acres 11/90 of 11.52 acres	2.3970%
(i) Ralph C. Lockhart RR1 Box 200 Swords Creek, VA 24649	0.128 acres 1/90 of 11.52 acres	0.2179%
(i) Alan Dee Lockhart Heirs, Devisees, Successors or Assigns		
(i.1) Steve Lockhart <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%
(i.2) Randy Lockhart <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%
(i.3) Patricia Hulvey <i>Address Unknown</i>	0.469 acres 11/270 of 11.52 acres	0.7990%

Tract #1E, 0.54 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.54 acres	0.9193%
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OIL & GAS FEE OWNERSHIP

(1) James Plaster Heirs, Devisees, Successors or Assigns c/o Harvey Plaster RR2 Box 170 Honaker, VA 24260	0.54 acres	0.9193%
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Tract #1F, 1.17 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.17 acres	1.9918%
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OIL & GAS FEE OWNERSHIP

(1) Charlie Powell, et ux. Rt.1 Box 210 Swords Creek, VA 24649	1.17 acres	1.9918%
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