

1211.
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-1019-1345

ELECTIONS: UNIT BE-118
(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 supplementing the Order previously in the captioned matter on April 19, 2005 which was recorded at Deed Book 629, Page 618 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on April 20, 2005, (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 BE-119;

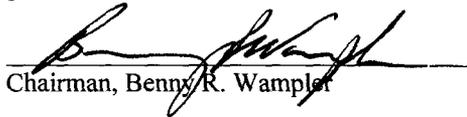
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Judy Barger 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.

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

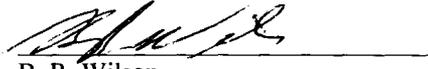
STATE OF VIRGINIA
COUNTY OF WISE

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
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 BE-118
VGOB 04-1019-1345 in the 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 April 19, 2005, 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 April 20, 2005;

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 April 19, 2005;

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 Tazewell, 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: April 9, 2013.



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

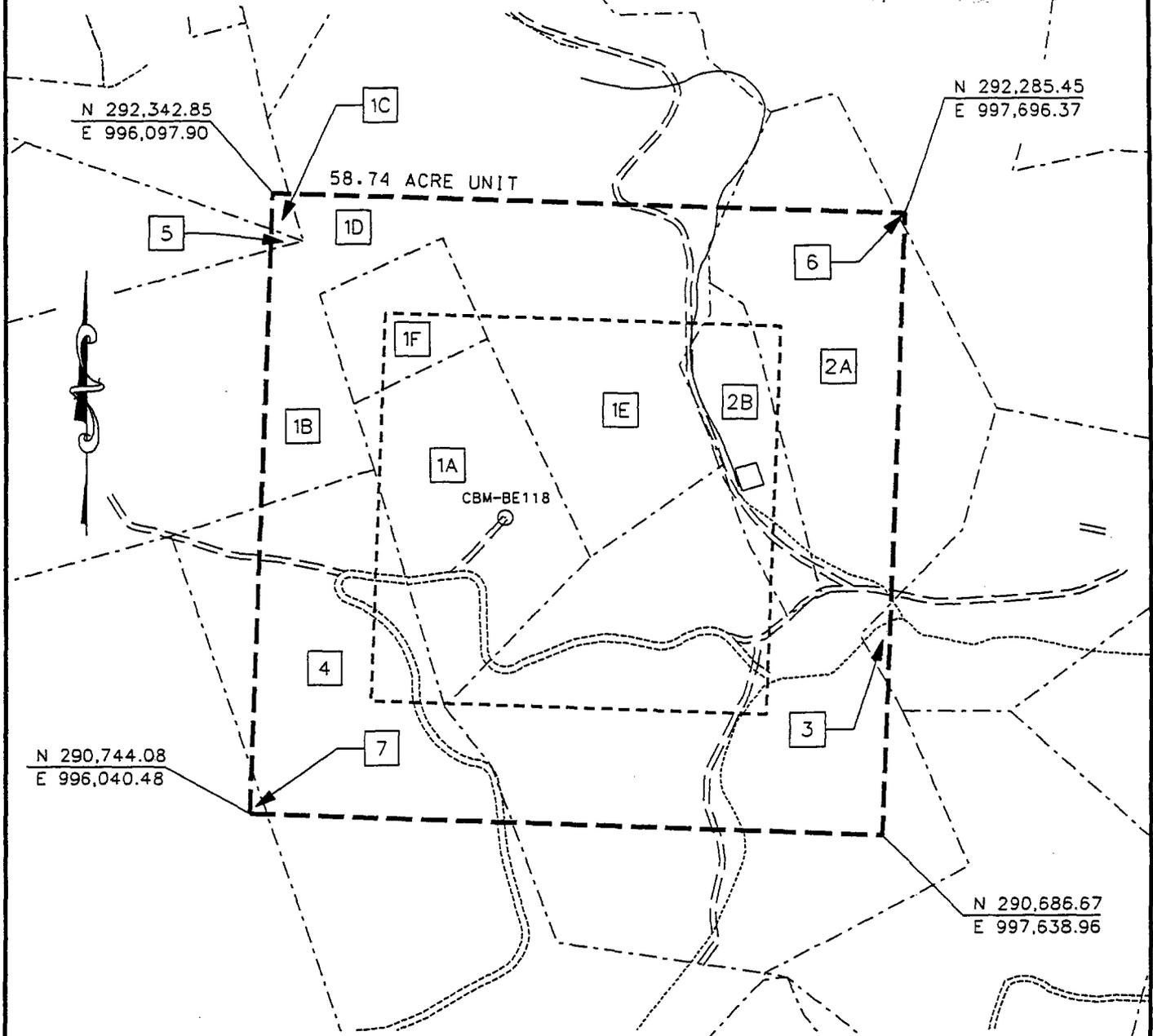


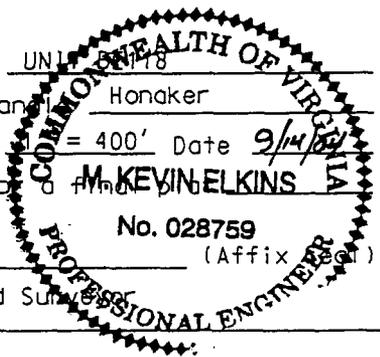
EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT BE-118
 FORCE POOLING
 VGOB-04-1019-1345

Company CNX Gas Company LLC Well Name and Number UNIT BE118
 Tract No. _____ Elevation _____ Quadrant _____ Honaker _____
 County Russell District New Garden Scale: 1" = 400' Date 9/14/04
 This plot is a new plot ; an updated plot _____ ; of a _____

Form DGO-GO-7
 Rev. 9/91

M. Kevin Elkins

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit BE 118

Tract Identifications

(58.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 1 – Fee
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
6.97 acres 11.8658%
- 1B. Swords Creek Land Partnership Tr. 1 - Fee
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.78 acres 4.7327%
- 1C. Swords Creek Land Partnership Tr. 1 - 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
Clarence Hess – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.15 acres 0.2554%
- 1D. Swords Creek Land Partnership Tr. 1 - 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
Swords Creek Land Partnership – Surface and All Minerals except Coal (50%)
Dallas Whited – Surface and All Minerals except Coal (50%)
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.81 acres 3.0814%
- 1E. Swords Creek Land Partnership Tr. 1 - 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
Swords Creek Land Partnership - Surface and All Minerals except Coal (25%)
Dallas Whited – Surface and All Minerals except Coal (75%)
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.46 acres 16.1049%
- 1F. Swords Creek Land Partnership Tr. 1 - Fee
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.39 acres 4.0688%

CNX Gas Company LLC

Unit BE 118

Tract Identifications

(58.74 Acre Unit)

- 2A. Swords Creek Land Partnership Tr. 47 – Fee
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.86 acres 4.8689%
- 2B. Swords Creek Land Partnership Tr. 47 – All Minerals
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Dallas Whited - Surface
0.22 acres 0.3745%
3. Swords Creek Land Partnership Tr. 52 – Fee
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
8.94 acres 15.2196%
4. Swords Creek Land Partnership Tr. 9 – Fee
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.06 acres 0.1021%
5. Swords Creek Land Partnership Tr. 7 – All Minerals
Reserve Coal Properties Company – Coal In and Above the Tiller Seam Leased
Knox Creek Coal Corporation – Coal Above Drainage Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Unknown Surface Owner
0.05 acres 0.0851%
6. 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
0.01 acres 0.0170%
7. Swords Creek Land Partnership Tr. 8 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Buckhorn Coal Company – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Delmer S. Vencill, et al (Directors as Trustees in Liquidation of Kelsa Corporation) - Surface
23.04 acres 39.2237%

Exhibit B-3
Unit BE-118
Docket #VGOB 04-1019-1345
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
II. <u>OIL & GAS FEE OWNERSHIP</u>		
<u>Tract #6, 0.01 acres</u>		
(1) Nellie Miller, et al.	0.01 acres	0.0170%
(a) Nellie Miller Heirs, Devisees, Successors or Assigns		
(a.1) Judy M. Hess P.O. Box 121 Swords Creek, VA 24649	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.2) Ola Gay Strouth P.O. Box 78 Swords Creek, VA 24649	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.4) Dewayne Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.5) David Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.6) Betty Keen <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.7) Audrey Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.00011 acres 1/90 of 0.01 acres	0.0002%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	0.00122 acres 11/90 of 0.01 acres	0.0021%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		
(d.1) Mark Cordill <i>Address Unknown</i>	0.00061 acres 11/180 of 0.01 acres	0.0010%
(d.2) Patricia Cordill <i>Address Unknown</i>	0.00061 acres 11/180 of 0.01 acres	0.0010%
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	0.00122 acres 11/90 of 0.01 acres	0.0021%
(f) Evelyln L. Perkins 2411 South First Street Richlands, VA 24641	0.00122 acres 11/90 of 0.01 acres	0.0021%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	0.00122 acres 11/90 of 0.01 acres	0.0021%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	0.00122 acres 11/90 of 0.01 acres	0.0021%

Exhibit E
Unit BE-118
Docket #VGOB 04-1019-1345
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #6, 0.01 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.01 acres	0.0170%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Nellie Miller, et al.	0.01 acres	0.0170%
(a) Nellie Miller Heirs, Devisees, Successors or Assigns		
(a.1) Judy M. Hess P.O. Box 121 Swords Creek, VA 24649	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.2) Ola Gay Strouth P.O. Box 78 Swords Creek, VA 24649	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.3) Peggy S. Hess RR1 Box 123 Swords Creek, VA 24649	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.4) Dewayne Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.5) David Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.6) Betty Keen <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(a.7) Audrey Miller <i>Address Unknown</i>	0.00017 acres 11/630 of 0.01 acres	0.0003%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.00011 acres 1/90 of 0.01 acres	0.0002%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	0.00122 acres 11/90 of 0.01 acres	0.0021%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		
(d.1) Mark Cordill <i>Address Unknown</i>	0.00061 acres 11/180 of 0.01 acres	0.0010%
(d.2) Patricia Cordill <i>Address Unknown</i>	0.00061 acres 11/180 of 0.01 acres	0.0010%

Exhibit E
Unit BE-118
Docket #VGOB 04-1019-1345
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	0.00122 acres 11/90 of 0.01 acres	0.0021%
(f) Evelyln L. Perkins 2411 South First Street Richlands, VA 24641	0.00122 acres 11/90 of 0.01 acres	0.0021%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	0.00122 acres 11/90 of 0.01 acres	0.0021%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	0.00122 acres 11/90 of 0.01 acres	0.0021%
(i) Ralph C. Lockhart RR1 Box 200 Swords Creek, VA 24649	0.00011 acres 1/90 of 0.01 acres	0.0002%
(i) Alan Dee Lockhart Heirs, Devisees, Successors or Assigns		
(i.1) Steve Lockhart <i>Address Unknown</i>	0.00041 acres 11/270 of 0.01 acres	0.0007%
(i.2) Randy Lockhart <i>Address Unknown</i>	0.00041 acres 11/270 of 0.01 acres	0.0007%
(i.3) Patricia Hulvey <i>Address Unknown</i>	0.00041 acres 11/270 of 0.01 acres	0.0007%

Tract #7, 23.04 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.8 P.O. Box 187 Tazewell, VA 24651	23.04 acres	39.2237%
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OIL & GAS FEE OWNERSHIP

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	23.04 acres	39.2237%
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