

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:	<u>CNX Gas Company LLC</u>)	VIRGINIA GAS
)	AND OIL BOARD
RELIEF SOUGHT:	(1) ESTABLISHMENT OF THE DRILLING)	
	UNIT DEPICTED IN EXHIBIT A HERETO)	DOCKET NO.
	AND SERVED BY WELL NO.AB78CV)	VGOB 08-0115-2120
	(herein "Subject Drilling Unit"))	
	PURSUANT TO VA. CODE § 45.1-361.20;)	
	(2) POOLING OF INTERESTS IN)	
	SUBJECT DRILLING UNIT PURSUANT TO)	
	VA. CODE § 45.1-361.21, FOR THE)	
	PRODUCTION OF GAS OTHER THAN)	
	COALBED METHANE GAS FROM SUBJECT)	
	FORMATIONS (herein referred)	
	to as "Conventional Gas" or "Gas");)	
	and (3) DESIGNATE THE APPLICANT)	
	AS THE UNIT OPERATOR FOR THE)	
	SUBJECT DRILLING UNIT)	

LEGAL DESCRIPTION:

DRILLING UNIT SERVED BY WELL NUMBERED
 AB78CV TO BE DRILLED IN THE LOCATION
 DEPICTED ON EXHIBIT A HERETO,
 PRATER QUADRANGLE
 PRATER MAGISTERIAL DISTRICT
 BUCHANAN COUNTY, VIRGINIA
 (the "Subject Lands" are more particularly
 described on Exhibit A attached hereto
 and made a part hereof)

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on **November 18, 2008** at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Room 240, Abingdon, Virginia.

2. Appearances: Mark A. Swartz of SWARTZ Law Offices, PLLC appeared for the Applicant. Sharon M.B. Pigeon, Assistant Attorney General was present to advise the Board.

3. Jurisdiction and Notice: Pursuant to Va. Code § 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of each gas and oil owner, coal owner, or mineral owner having an interest in Subject Drilling Unit underlying and comprised of Subject Lands; (2) has represented to the Board that it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies,

businesses, trusts, joint ventures or other legal entities) entitled by Va. Code § 45.1-361.19 to notice of the Application filed herein; and (3) that the persons set forth in their Application and Notice of Hearing have been identified by Applicant through its due diligence as Owners or Claimants of Conventional Gas interests underlying Subject Drilling Unit, including those set out in Exhibit B-3 who have not heretofore leased, sold or voluntarily agreed with the Applicant to pool their Gas interests in Subject Drilling Unit. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of due process.

4. Amendments: See annexed Exhibit A which depicts the size and shape of the Subject Drilling Unit approved and created by the Board at the November 18, 2008 hearing. See annexed Tract Identifications which pertain to the said Exhibit A. See annexed Exhibits B and B-3 which were revised to implement the Board's directives with regard to the size and shape of the Unit it created and the allocation of production and royalties within the Subject Drilling Unit.

5. Dismissals: None.

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.20, the Board establish Subject Drilling Unit to be served by Well AB78CV; and (2) that pursuant to Va. Code § 45.1-361.21, the Board pool the rights, interests and estates in and to the Conventional Gas of the known and unknown persons listed in the attached Exhibit B-3, and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Conventional Gas from the Subject Drilling Unit established for Subject Formations underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"); and, (3) that the Board designate CNX Gas Company LLC as Unit Operator.

7. Relief Granted: The requested relief in this cause shall be and hereby is granted.

7.1 The Board hereby: (1) establishes Subject Drilling Unit pursuant to Va. Code § 45.1-361.20; (2) pursuant to Va. Code § 45.1-361.21.C.3, CNX Gas Company LLC (hereafter "Unit Operator") is designated as the Operator authorized to drill and operate Well No. AB78CV in the Subject Drilling Unit at the location depicted on the plat attached hereto as Exhibit A to produce Conventional Gas from the Devonian Shale, also referred to as the Lower Huron, (herein referred to as "Subject Formations"), subject to the permit provisions contained in § 45.1-361.27 et seq., Code of Virginia, 1950 as amended, to § 4 VAC 25-150 et seq., Gas and Oil Regulations and to § 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time; and (3) the rights, interests and estates in and to the Conventional Gas in Subject Drilling Unit including those of the known and unknown persons listed on Exhibit B-3, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formations in the Subject Drilling Unit underlying and comprised of the Subject Lands. There are no applicable field rules and the unit is subject to statewide spacing requirements of Va. Code § 45.1-361.17.

8. Election and Election Period: In the event any Gas owner named in the Application and Notice of Hearing has not heretofore reached a voluntary agreement to share in the operation of the well to be located in Subject Drilling Unit at a rate of payment mutually agreed to by said Gas owner and the Operator, then, such person may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 herein to the designated Unit Operator at the address shown below within thirty (30) days from the date of receipt of a copy of this Order. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed his written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

9.1 Option 1 - To Participate In The Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B-3 who has not reached a voluntary agreement with the Operator may elect to participate in the Well Development and Operation on the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs, including a reasonable supervision fee, of the Well Development and Operation, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed for Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Estimated, Completed-for-Production Costs as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The estimated Completion-for-Production Costs for the Subject Drilling Unit are as follows:

Estimated, Completed-for-Production Costs: **\$1,429,388.64**

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Percent of Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation of Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 in the unit who has not reached a voluntary agreement with the Operator may elect to accept a cash bonus consideration of \$5.00 per net mineral acre owned

by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Gas produced from any Well Development and Operation covered by this Order multiplied by the Gas owner's percentage Interest Within Unit as set forth in the Application and Notice of Hearing (for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person) as fair, reasonable and equitable compensation to be paid to said Gas owner. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing Gas owner in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation of Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a cash bonus consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator") so that the proportionate part of the Completed-for-Production Costs hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Unit Operator until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding

royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Costs allocable to the interest of such Carried Well Operator. When the Unit Operator recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such well development.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to have and hereby does assign his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Unit Operator for the period of time during which his interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in Exhibit B-3 hereto does not reach a voluntary agreement with the Applicant and fails to do so within the time, in the manner, and in accordance with the terms of this Order one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to any final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to Gas in the Subject Drilling Unit to the Unit Operator. Persons who fail to properly elect shall be deemed to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Estimated Completed-for-Production costs as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days

after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any 1/8th royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in Exhibit B-3 is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Applicant, and said person elects or fails to elect to do other than participate under Paragraph 9.1 above in the Well Development and Operation in Subject Drilling Unit, then such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, in Subject Formations in Subject Drilling Unit, and other share in and to Gas production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said elections.

13. Unit Operator (or Operator): CNX Gas Company LLC, shall be and hereby is designated as Unit Operator authorized to drill and operate Well No. AB78CV in Subject Formations in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code § 45.1-361.27 et seq., §§ 4 VAC 25-150 et seq., Gas and Oil Regulations and §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, WV 24701
Attn.: Anita D. Duty

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well covered hereby within seven hundred and thirty (730) days from the date of this Order and shall prosecute the same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums becoming payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which the well covered by this Order is permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the Petition for Appeal and the final Order of the Circuit Court shall be excluded in calculating the two-year period referenced herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are a charge against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating the well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions: None required. Applicant has represented to the Board that there are no unknown and/or unlocatable Gas owners in Subject Drilling Unit whose interests are subject to escrow; and, the Applicant has represented to the Board that there are no conflicting claimants in Subject Drilling Unit whose payments are subject to escrow. Therefore, by the Order and unless and until otherwise ordered by the Board, the Escrow Agent is not required to establish an interest-bearing escrow account for Subject Drilling Unit.

17. Special Findings: The Board specifically and specially finds:

17.1. Applicant CNX Gas Company LLC is a Virginia limited liability company. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;

17.2. Applicant CNX Gas Company LLC is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;

17.3. Applicant CNX Gas Company LLC claims ownership of Gas leases on 91.3517 percent of Subject Drilling Unit and the right to explore for, develop and produce Gas from same;

17.4. Applicant has proposed the drilling of Well AB78CV to a depth of 6250 feet on the Subject Drilling Unit at the location depicted in Exhibit A to develop the pool of Gas in Subject Formations, and to complete and operate Well AB78CV for the purpose of producing Conventional Gas.

17.5 The estimated production of the life of the proposed Well AB78CV is 250 to 750 MMCF.

17.6 With this Application, notice was provided to everyone claiming an ownership interest relative to the production of conventional gas in the Subject Drilling Unit. Set forth in Exhibit B-3, is the name and last known address of each Owner or Claimant identified by the Applicant as Gas owners in Subject Drilling Unit who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Drilling Unit for its development. Gas interests unleased to the Operator and listed in Exhibit B-3 represent 8.6483 percent of Subject Drilling Unit;

17.7 Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the Wells are those options provided in Paragraph 9 above;

17.8 The Subject Drilling Unit does not constitute an unreasonable or arbitrary exercise of Applicant's right to explore for or produce Gas;

17.9 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested

therein will ensure to the extent possible the greatest ultimate recovery of Conventional Gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

18. All prior Orders pertaining to the Subject Drilling Unit and/or Well are hereby vacated.

19. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt by the Unit Operator to each Respondent named in **Exhibit B** pooled by this Order, and/or whose acreage is affected by the Unit created hereby, whose address is known.

20. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

21. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

22. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

23. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

DONE AND EXECUTED this 4th day of February, 2009, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 4th day of February, 2009 by Order of this Board.

David E. Asbury Jr.
David E. Asbury, Jr.
Principal Executive To The Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 4th day of February, 2009, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury, Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis
Diane J. Davis, Notary
174394

My commission expires: September 30, 2009



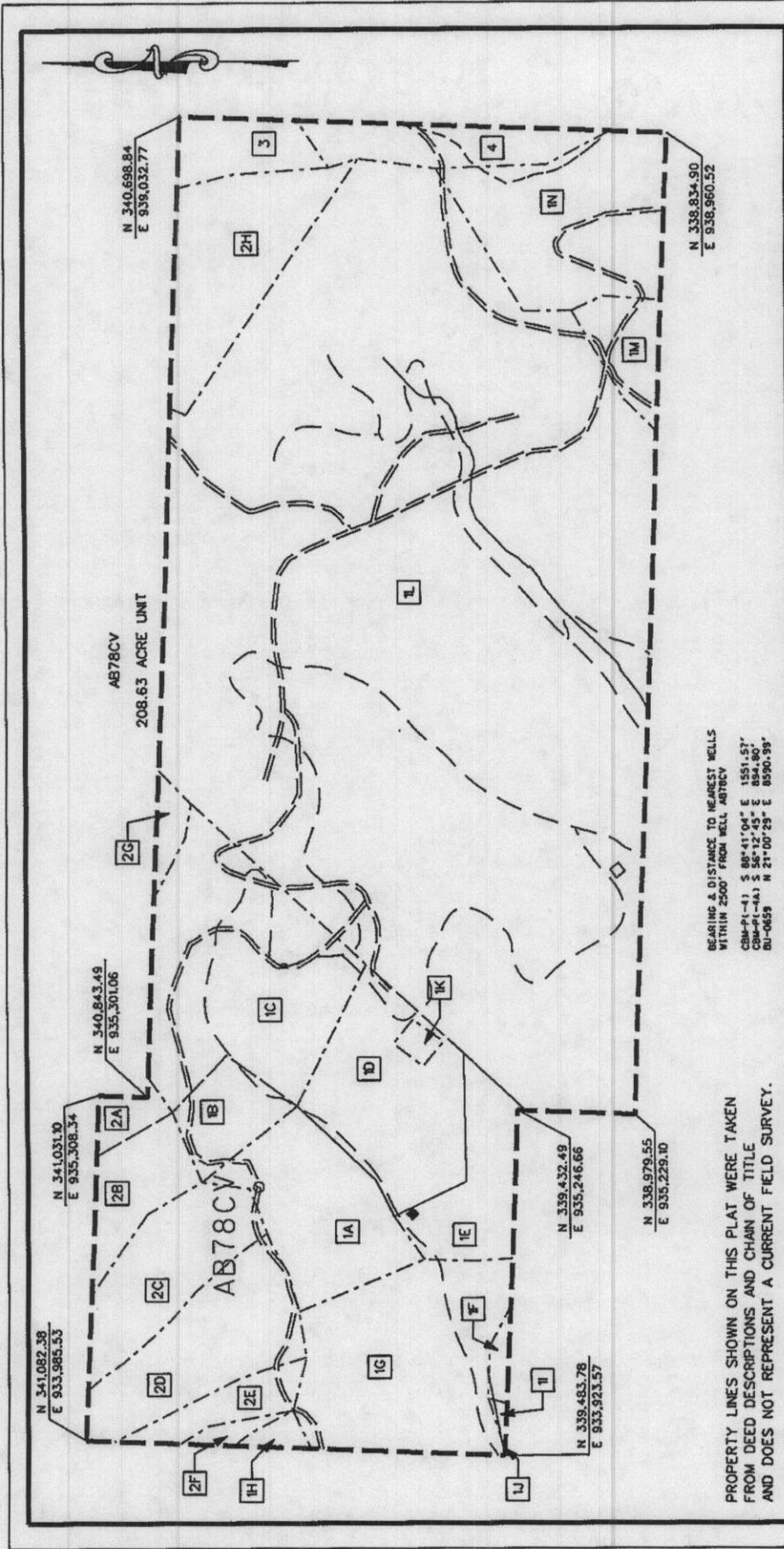
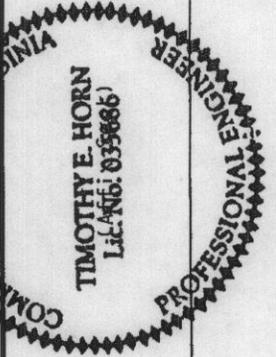


EXHIBIT A
 NORA FIELD
 UNIT AB78CV
 FOR COMMINGLING
 VOLUME 11 OF 1188
 COMMONWEALTH OF VIRGINIA



Company CNX Gas Company LLC Well Name and Number UNIT AB78CV
 Tract No. _____ Elevation _____ Quadrangle PRATER
 County BUCHANAN District PRATER Scale: 1" = 600' Date 11/24/08
 This plat is a new plat _____; an updated plat X; or a final plat _____
 Form DGO-GO-7
 Rev. 9/91

 Licensed Professional Engineer or Licensed Land Surveyor

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CNX Gas Company LLC
AB78CV Horizontal Drilling Unit
Tract Identifications

1. F.H. Combs, II, Testamentary Trust, et al (1010 Acre Tract) – All Minerals
Pyxis Resources Company / Paramount Coal Corp. – Coal in Clintwood, Eagle and Blair Seams Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
174.68 acres 83.7272%
- 1A. Jack D. Owens, et ux – Surface Owner
1B. Barbara Bowman Wagner – Surface Owner
1C. Danny Owens – Surface Owner
1D. Evelyn Belcher – Surface Owner
1E. Jack D. Owens – Surface Owner
1F. James Clevinger – Surface Owner
1G. Jerry L. Owens – Surface Owner
1H. Glinda B. Woods Sollien – Surface Owner
1I. Gary Coleman – Surface Owner
1J. Gary Coleman – Surface Owner
1K. Unknown Surface Owner (CEMETERY)
1L. Paulette Sullivan – Surface Owner
1M. CNX Gas Company LLC/Island Creek Coal Company – Surface Owner
1N. CNX Gas Company LLC/Island Creek Coal Company – Surface Owner
- 2A. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Flora Stewart – Surface and all Minerals except Coal
0.95 acres 0.4554%
- 2B. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Henry Deel, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (1/3)
Ronald Stacy, et ux – Surface
3.11 acres 1.4907%
- 2C. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Margaret Looney, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Kenneth D. Coleman – Surface
5.73 acres 2.7465%
- 2D. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Henry Deel, et al – All Minerals except Coal
Ronald Stacy, et ux – Surface
7.03 acres 3.3696%
- 2E. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Eunice E. Deel Raines, et al – All Minerals except Coal

CNX Gas Company LLC – Oil, Gas and CBM Leased (1/3)
Fred Deel, et ux – Surface
2.06 acres 0.9874%

2F. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Arnold Deel, et ux – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.49 acres 0.2349%

2G. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Floyd L. Charles, et ux – Surface and all Minerals except Coal
Range Resources – Pine Mountain, Inc. – Oil, Gas and CBM Leased
0.85 acres 0.4074%

2H. ACIN, LLC – All Coal except the Splash Dam Seam
Penn Virginia Operating Co., LLC – Splash Dam Seam
Alpha Land Reserves, LLC – All Coal leased except the Splash Dam Seam
Range Resources – Pine Mountain, Inc. – Oil and Gas
Heartwood Forestland Fund, IV, LP – Surface
7.57 acres 3.6284%

3. Bran Investments, LLC, et al (263.47 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased
CNX Gas Company LLC – CBM Leased
Jess O'Quin, et ux – Surface
2.59 acres 1.2414%

4. Garden Realty Corporation (203.04 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Sandy Valley Explosives – Surface
3.57 acres 1.7112%

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Exhibit B
Unit AB78(CV) - Horizontal Drilling Unit Setup
Docket #VGOB 08-0115-2120
List of all Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit	Coal Lease #	CBM Lease #
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #1 - 174.68 acres</u>				
(1) War Fork Coal Partnership (1010 Acre Tract) c/o John C. Irvin, Agent 4710 Hunterwood Circle Richmond, TX 77406	174.68 acres	83.7272%		Leased
<u>Tract #2A - 0.95 acres</u>				
(1) Flora Stewart PO Box 536 Vansant, VA 24656	0.95 acres	0.4554%		Unleased
<u>Tract #2B - 3.11 acres</u>				
(1) Henry Deel, et al. (Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns)	3.11 acres	1.4907%		
(a) Corenia Arguelles 17 Ranger Creek Road Boerne, TX 78006	0.52 acres 1/6 of 3.11 acres	0.2484%		402832-002
(b) Magalene Deel Rt.1 Box 558 Vansant, VA 24656	0.52 acres 1/6 of 3.11 acres	0.2484%		402832-001
(c) Henry Deel P.O. Box 197 Vansant, VA 24656	0.52 acres 1/6 of 3.11 acres	0.2484%		Unleased
(d) Donald Deel Heirs, Devisees, Successors or Assigns				
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.26 acres 1/12 of 3.11 acres	0.1242%		Unleased
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.26 acres 1/12 of 3.11 acres	0.1242%		Unleased
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	0.52 acres 1/6 of 3.11 acres	0.2484%		Unleased
(f) Gordon Deel Rt.1 Box 561 Vansant, VA 24656	0.52 acres 1/6 of 3.11 acres	0.2484%		Unleased
<u>Tract #2C - 5.73 acres</u>				
(1) Margaret Looney, et al. (Walter S. Looney Heirs, Devisees, Successors or Assigns - 10.10 Acre Tract)	5.73 acres	2.7465%		
(a) Donald G. Looney 104 Adair Drive Johnson City, TN 37601	1.91 acres 1/3 of 5.73 acres	0.9155%		402764-003
(b) Jerry W. Looney P.O. Box 12 Vansant, VA 24656	1.91 acres 1/3 of 5.73 acres	0.9155%		402764-002

Exhibit B
Unit AB78(CV) - Horizontal Drilling Unit Setup
Docket #VGOB 08-0115-2120
List of all Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit	Coal Lease #	CBM Lease #
(c) Margaret Looney P.O. Box 524 Vansant, VA 24656	1.91 acres 1/3 of 5.73 acres	0.9155%		402764-001
<u>Tract #2D - 7.03 acres</u>				
(1) Henry Deel, et al. <i>(Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns - 9 Acre Tract)</i>	7.03 acres	3.3696%		
(a) Corenia Arguelles 17 Ranger Creek Road Boerne, TX 78006	1.17 acres 1/6 of 7.03 acres	0.5616%		402832-002
(b) Magalene Deel Rt.1 Box 558 Vansant, VA 24656	1.17 acres 1/6 of 7.03 acres	0.5616%		402832-001
(c) Henry Deel P.O. Box 197 Vansant, VA 24656	1.17 acres 1/6 of 7.03 acres	0.5616%		Unleased
(d) Donald Deel Heirs, Devisees, Successors or Assigns				
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.59 acres 1/12 of 7.03 acres	0.2808%		Unleased
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.59 acres 1/12 of 7.03 acres	0.2808%		Unleased
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	1.17 acres 1/6 of 7.03 acres	0.5616%		Unleased
(f) Gordon Deel Rt.1 Box 561 Vansant, VA 24656	1.17 acres 1/6 of 7.03 acres	0.5616%		Unleased
<u>Tract #2E - 2.06 acres</u>				
(1) Eunice E. Deel Raines, et al. <i>(Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns - 3 Acre Tract)</i>	2.06 acres	0.9874%		
(a) Corenia Arguelles 17 Ranger Creek Road Boerne, TX 78006	0.34 acres 1/6 of 7.03 acres	0.1646%		402833-002
(b) Magalene Deel Rt.1 Box 558 Vansant, VA 24656	0.34 acres 1/6 of 7.03 acres	0.1646%		402833-001
(c) Henry Deel P.O. Box 197 Vansant, VA 24656	0.34 acres 1/6 of 7.03 acres	0.1646%		Unleased
(d) Donald Deel Heirs, Devisees, Successors or Assigns				
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.17 acres 1/12 of 7.03 acres	0.0823%		Unleased
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.17 acres 1/12 of 7.03 acres	0.0823%		Unleased

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Exhibit B
Unit AB78(CV) - Horizontal Drilling Unit Setup
Docket #VGOB 08-0115-2120
List of all Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit	Coal Lease #	CBM Lease #
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	0.34 acres 1/6 of 7.03 acres	0.1646%		Unleased
(f) Gordon Deel Rt.1 Box 561 Vansant, VA 24656	0.34 acres 1/6 of 7.03 acres	0.1646%		Unleased
<u>Tract #2F - 0.49 acres</u>				
(1) Arnold Deel, et ux. Rt.1 Box 558 Vansant, VA 24656	0.49 acres	0.2349%		402831-000
<u>Tract #2G - 0.85 acres</u>				
(1) Floyd L. Charles, et ux. * Rt.1 Box 575 Vansant, VA 24656	0.85 acres	0.4074%		Unleased (Leased by Pine Mt)
<u>Tract #2H - 7.57 acres</u>				
(1) Range Resources-Pine Mountain Inc. 406 West Main Street P.O. Box 2136 Abingdon, VA 24212	7.57 acres	3.6284%		Unleased
<u>Tract #3, 2.58 acres</u>				
(1) Bran Investments, LLC, et al. (aka Florence E. Walker, et al. / Lois Bowie, et al.) (263.47 Acre Tract)	2.59 acres	1.2414%		
(a) Amy Lee Powers Heirs, Devisees, Successors or Assigns				
(a.1) Erma Runals Heirs, Devisees, Successors or Assigns				
(a.1.1) Runals Trust c/o Andrew Runals, Trustee 11453 Davis Road Middleville, MI 49333	0.3238 1/8 of 2.58 acres	0.1552%	722110	266247-001
(a.2) Walker Trust James S. Thompson, Trustee & Individual 3620 Edgewood Circle Cleveland, TN 37311	0.3238 1/8 of 2.58 acres	0.1552%	722110	266247-001
(a.3) Bran Investments, LLC 516 Holston Avenue Bristol, TN 37620	0.3238 1/8 of 2.58 acres	0.1552%	722110 (Lois Bowie)	266247-001 (Lois Bowie)
(a.4) Robert S. Powers 2921 Dempster Street Knoxville, TN 37917	0.3238 1/8 of 2.58 acres	0.1552%	722110	266247-001
(b) Curtis W. Humphry Heirs, Devisees, Successors or Assigns				
(b.1) Carol C. Welch 134 Little John Road Williamsburg, VA 23185				<i>Life Estate Only</i>
(b.2) Mark Welch 113 Holdsworth Road Williamsburg, VA 23185	0.5396 5/24 of 2.58 acres	0.2586%	722112	Unleased (Lease Expired)

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Unit AB78(CV) - Horizontal Drilling Unit Setup
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List of all Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit	Coal Lease #	CBM Lease #
(c) May S. Harris Trust c/o Michael Kauble, Trustee P.O. Box 2004 Julian, CA 92036	0.5396 5/24 of 2.58 acres	0.2586%	722112	266249-001
<i>May own a portion of the May S. Harris Trust:</i>				
John G. Harris, Jr.				Susan Kauble
Robert M. Harris				Vicki L. Harris
(d) Edward W. Lindsay, Trustee 21 Hillcrest Drive Ponca City, OK 74601	0.1079 1/24 of 2.58 acres	0.0517%	722112	266249-002
(e) Irene Harris Heirs, Devisees, Successors or Assigns				
(e.1) George B. Harris, Jr. 11 Luzanne Circle San Anselmo, CA 94960	0.0360 1/72 of 2.58 acres	0.0172%	722112	266249-003
(e.2) Patricia Ruenke 14008 Puerto Drive Ocean Springs, MS 39564	0.0360 1/72 of 2.58 acres	0.0172%	722112	266249-003
(e.3) Marguerite Whyte 1837 Avenida Segovia Oceanside, CA 92056-6235	0.0360 1/72 of 2.58 acres	0.0172%	722112	266249-003
<u>Tract #4 - 3.57 acres</u>				
(1) John W. Pobst, Jr., et al. (250.22 Acre Tract)	3.57 acres	1.7112%		
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.89 acres 1/4 of 3.55 acres	0.4278%		
(b) Carol & John C. Irvin, III 4710 Hunterwood Circle Richmond, TX 77406	0.30 acres 1/12 of 3.55 acres	0.1426%		
(c) Frederick H. Combs Testamentary Trust c/o John C. Irvin, Agent 4710 Hunterwood Circle Richmond, TX 77406	0.30 acres 1/12 of 3.55 acres	0.1426%		
(d) Martha E. Combs P.O. Box 1404 Abingdon, VA 24210	0.30 acres 1/12 of 3.55 acres	0.1426%		
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.30 acres 1/12 of 3.55 acres	0.1426%		
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.30 acres 1/12 of 3.55 acres	0.1426%		
(g) W. Kent Pobst Trust				
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.30 acres 1/12 of 3.55 acres	0.1426%		
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.30 acres 1/12 of 3.55 acres	0.1426%		

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Unit AB78(CV) - Horizontal Drilling Unit Setup
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(208.63 Acre Unit)

	Acres in Unit	Percent of Unit	Coal Lease #	CBM Lease #
(h) Meredith E. Jennings 2418 West Linden Street Nashville, TN 37212	0.60 acres 1/6 of 3.55 acres	0.2852%		

* The Oil, Gas & CBM is leased by Pine Mountain Oil & Gas, Inc.

Exhibit B-3
Unit AB78(CV) - Horizontal Drilling Unit Setup
Docket #VGOB 08-0115-2120
List of Unleased Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit
II. <u>OIL & GAS FEE OWNERSHIP</u>		
<u>Tract #2A - 0.95 acres</u>		
(1) Flora Stewart PO Box 536 Vansant, VA 24656	0.95 acres	0.4554%
<u>Tract #2B - 3.11 acres</u>		
(1) Henry Deel, et al. <i>(Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns)</i>	3.11 acres	1.4907%
(c) Henry Deel P.O. Box 197 Vansant, VA 24656	0.52 acres 1/6 of 3.11 acres	0.2484%
(d) Donald Deel Heirs, Devisees, Successors or Assigns		
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.26 acres 1/12 of 3.11 acres	0.1242%
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.26 acres 1/12 of 3.11 acres	0.1242%
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	0.52 acres 1/6 of 3.11 acres	0.2484%
(f) Gordon Deel Rt.1 Box 561 Vansant, VA 24656	0.52 acres 1/6 of 3.11 acres	0.2484%
<u>Tract #2D - 7.03 acres</u>		
(1) Henry Deel, et al. <i>(Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns - 9 Acre Tract)</i>	7.03 acres	3.3696%
(c) Henry Deel P.O. Box 197 Vansant, VA 24656	1.17 acres 1/6 of 7.03 acres	0.5616%
(d) Donald Deel Heirs, Devisees, Successors or Assigns		
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.59 acres 1/12 of 7.03 acres	0.2808%
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.59 acres 1/12 of 7.03 acres	0.2808%
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	1.17 acres 1/6 of 7.03 acres	0.5616%
(f) Gordon Deel Rt.1 Box 561	1.17 acres 1/6 of 7.03 acres	0.5616%

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Exhibit B-3
Unit AB78(CV) - Horizontal Drilling Unit Setup
Docket #VGOB 08-0115-2120
List of Unleased Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit
Vasant, VA 24656		
<u>Tract #2E - 2.06 acres</u>		
(1) Eunice E. Deel Raines, et al. (Rufus & Eunice Deel Heirs, Devisees, Successors or Assigns - 3 Acre Tract)	2.06 acres	0.9874%
(c) Henry Deel P.O. Box 197 Vasant, VA 24656	0.34 acres 1/6 of 7.03 acres	0.1646%
(d) Donald Deel Heirs, Devisees, Successors or Assigns		
(d.1) Barbara Deel 830 Main Street Apt. 404 North Wilkesboro, NC 28659	0.17 acres 1/12 of 7.03 acres	0.0823%
(d.2) Erma K. Sikora 758 Buckwheat Road McGrady, NC 28649	0.17 acres 1/12 of 7.03 acres	0.0823%
(e) Nell Ratliff 23245 Sydney Drive Abingdon, VA 24211	0.34 acres 1/6 of 7.03 acres	0.1646%
(f) Gordon Deel Rt.1 Box 561 Vasant, VA 24656	0.34 acres 1/6 of 7.03 acres	0.1646%
<u>Tract #2G - 0.85 acres</u>		
(1) Floyd L. Charles, et ux. * Rt.1 Box 575 Vasant, VA 24656	0.85 acres	0.4074%
<u>Tract #2H - 7.57 acres</u>		
(1) Range Resources-Pine Mountain Inc. 406 West Main Street P.O. Box 2136 Abingdon, VA 24212	7.57 acres	3.6284%
<u>Tract #3, 2.58 acres</u>		
(1) Bran Investments, LLC, et al. (aka Florence E. Walker, et al. / Lois Bowie, et al.) (263.47 Acre Tract)	2.59 acres	1.2414%
(b) Curtis W. Humphry Heirs, Devisees, Successors or Assigns		
(b.1) Carol C. Welch 134 Little John Road Williamsburg, VA 23185	<i>Life Estate Only</i>	

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Unit AB78(CV) - Horizontal Drilling Unit Setup
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List of Unleased Owners/Claimants
(208.63 Acre Unit)

	Acres in Unit	Percent of Unit
(b.2) Mark Welch 113 Holdsworth Road Williamsburg, VA 23185	0.5396 5/24 of 2.58 acres	0.2586%

* The Oil, Gas & CBM is leased by Range Resources - Pine Mountain Inc.

INSTRUMENT #090000727
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 12, 2009 AT 11:22AM

BEVERLY S. TILLER, CLERK
RECORDED BY: NKE