

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 08-0219-2131

ELECTIONS: UNIT BF-108
(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 March 20, 2008 which was recorded at Deed Book 688, Page 441 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on April 2, 2008, (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 BF-108;

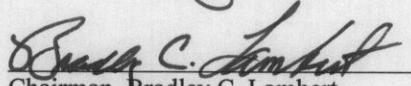
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis 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.

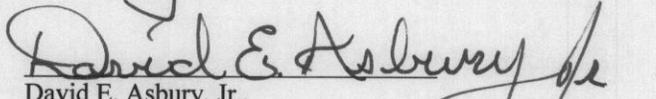
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

DONE AND EXECUTED this 23 day of August, 2010, by a majority of the Virginia Gas and Oil Board.

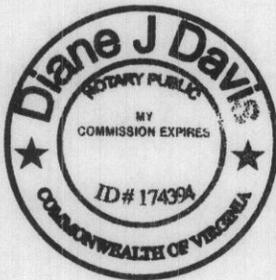

Chairman, Bradley C. Lambert

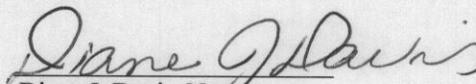
DONE AND PERFORMED THIS 23 day of August, 2010, by Order of the Board.


David E. Asbury, Jr.,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 23rd day of August, 2010, 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, Notary
174394

My commission expires: September 30, 2013

R

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 BF-108
VGOB 08-0219-2131 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A Designated Operator) REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on March 20, 2008, 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 Lebanon, 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 2, 2008;

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 March 20, 2008;

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 leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

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:

Glenn Peck, Jr.

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.

None

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 18th day of May, 2010.

Anita D. Duty
Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

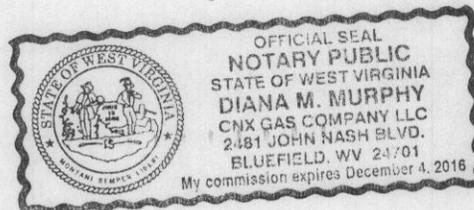
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc.

LLC, on behalf of the corporate Designated Operator, this 18th day of May, 2010.

Diana M. Murphy
Notary

My commission expires: December 4, 2016

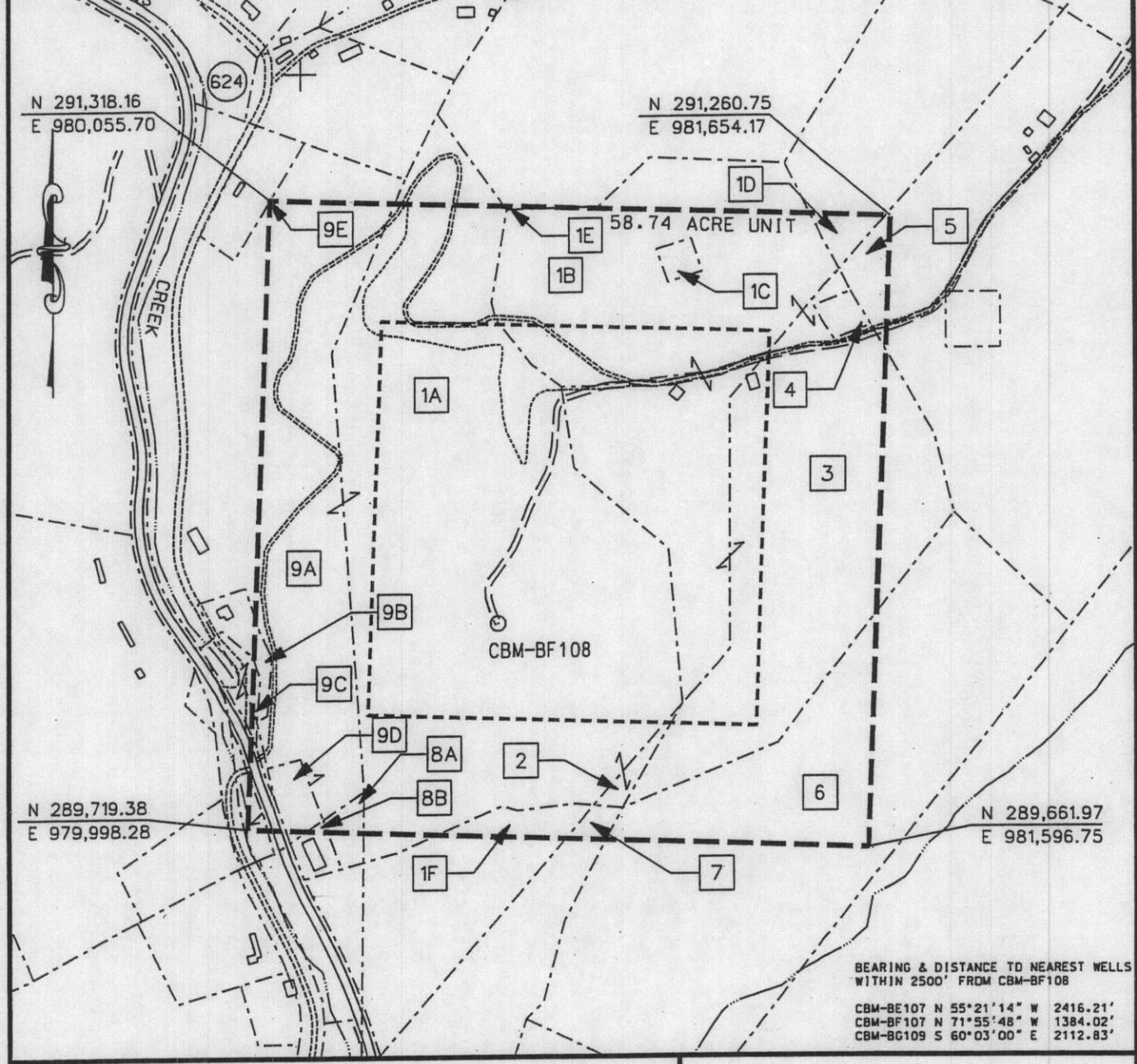
1002251



VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, Sept 20, 2010. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:33 o'clock P.M., after payment of \$ tax imposed by Sec. 58.1-802.

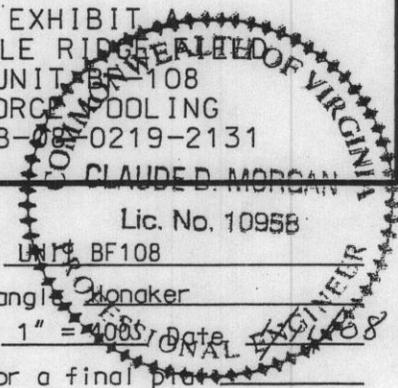
TESTE: ANN S. McFEEYNOLDS, CLERK
BY: *Jane Fickett* D. CLERK
Original returned this date to: VA Gas Oil

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX GAS COMPANY LLC AND WERE NOT SURVEYED.



BEARING & DISTANCE TO NEAREST WELLS WITHIN 2500' FROM CBM-BF108
 CBM-BE107 N 55°21'14" W 2416.21'
 CBM-BF107 N 71°55'48" W 1384.02'
 CBM-BG109 S 60°03'00" E 2112.83'

EXHIBIT
 MIDDLE RIDGE
 UNIT BF 108
 FORCE POOLING
 VGOB-08-0219-2131
 COMMONWEALTH OF VIRGINIA
 CLAUDE D. MORGAN



Company CNX Gas Company LLC Well Name and Number UNIT BF108
 Tract No. _____ Elevation _____ Quadrangle Monaker
 County Russell District New Garden Scale: 1" = 400 FEET
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

Claude D. Morgan (Affix Seal)
 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC**Unit BF 108**

Tract Identifications

58.74 Acre Unit

1. Buckhorn Coal Company Tr. 15 (140.00 Acre Stephen Fuller Tract) - All Minerals
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal except Kennedy and Big Fork Seams Leased
Harold Keene Coal Company - Kennedy and Big Fork Seams Leased
CNX Gas Company LLC - Oil, Gas & CBM Leased
35.47 Acres 60.3847%
- 1A. Ethel Z. Fuller, et al - Surface
- 1B. Robert William Fuller, et al - Surface
- 1C. Unknown (Cemetery) - Surface
- 1D. Harless Fuller, et al (Dewey Fuller Heirs) - Surface
- 1E. Unknown Surface Owner
- 1F. Glen Peck, Jr., et ux - Surface
2. Ethel Z. Fuller, et al - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.24 Acres 0.4086%
3. Robert William Fuller, et al (24.75 acre tract) - Fee
Energy Resources, LLC - All Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
9.27 Acres 15.7814%
4. Robert Bernard Fuller (0.25 Acre Tract) - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.22 Acres 0.3745%
5. Harless Fuller, et al (Dewey Fuller Heirs - 31.00 Acre Tract) - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.51 Acres 0.8682%
6. Robert William Fuller (11.00 acre tract) - Fee
Energy Resources, LLC - All Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
3.93 Acres 6.6905%
7. Glen Peck, Jr., et ux (3.00 Acre Tract) - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.18 Acres 0.3064%
8. Mary Elizabeth Graybeal, et al (W.B. Spratt Heirs, et al - 19.82 Acre Tract) - All Minerals
CNX Gas Company LLC - Oil, Gas and CBM (73.3334) Leased
0.18 Acres 0.3064%
- 8A. Unknown - Surface
- 8B. Glenn Peck, Jr. - Surface

- 9A. CNX Gas Company LLC (George Walker 70.00 acre tract) – Coal
Ethel Z. Fuller, et al– Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
7.89 Acres 13.4321%

- 9B. CNX Gas Company LLC (George Walker 70.00 acre tract) – Coal
James S. Osborne, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.16 Acres 0.2724%

- 9C. CNX Gas Company LLC (George Walker 70.00 acre tract) – Coal
Commonwealth of Virginia – Surface, Oil and Gas
0.29 Acres 0.4937%

- 9D. CNX Gas Company LLC (George Walker 70.00 acre tract) – Coal
Glenn Peck, Jr. Surface, Oil and Gas
0.39 Acres 0.6639%

- 9E. CNX Gas Company LLC (George Walker 70.00 acre tract) – Coal
Barbara Ray– Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.01 Acres 0.0170%

Exhibit B-2
Unit BF-108
Docket #VGOB 08-0219-2131
List of Respondents to be Dismissed
(58.74 Acre Unit)

BOOK - 725 PAGE 0621

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS OWNERSHIP			
<u>Tract #9D, 0.39 acres</u>			
(1) Glenn Peck, Jr. Route 2 Box 541 Honaker, VA 24260-9649	0.39 acres	0.6639%	Leased

Exhibit B-3
Unit BF-108
Docket #VGOB 08-0219-2131
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #8, 0.18 acres</u>		
(1) Mary Elizabeth Graybeal, et al <i>(W.B. Spratt Heirs, et al - 19.82 Acre Tract)</i>	0.18 acres	0.3064%
(2) Katheryn Spratt Baker Heirs, Devisees, Successors or Assigns		
(b) Harrison S. "Bud" Baker 5220 Pembroke Place Pittsburgh, PA 15232	0.018 acres 1/10 of 0.18 acres	0.0306%
(3) Harry Lee Spratt Heirs, Devisees, Successors or Assigns		
(b) Alice Spratt Johnson Heirs Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.018 acres 1/10 of 0.18 acres	0.0306%
(5) Tom Ganaway Spratt Heirs, Devisees, Successors or Assigns		
(a) Margaret Spratt Little 19687 Peacock Valley Dr. Bristol, VA 24202	0.012 acres 1/15 of 0.18 acres	0.0204%
II. OIL & GAS OWNERSHIP		
<u>Tract #8, 0.18 acres</u>		
(1) Mary Elizabeth Graybeal, et al <i>(W.B. Spratt Heirs, et al - 19.82 Acre Tract)</i>	0.18 acres	0.3064%
(2) Katheryn Spratt Baker Heirs, Devisees, Successors or Assigns		
(b) Harrison S. "Bud" Baker 5220 Pembroke Place Pittsburgh, PA 15232	0.018 acres 1/10 of 0.18 acres	0.0306%
(3) Harry Lee Spratt Heirs, Devisees, Successors or Assigns		
(b) Alice Spratt Johnson Heirs Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.018 acres 1/10 of 0.18 acres	0.0306%
(5) Tom Ganaway Spratt Heirs, Devisees, Successors or Assigns		
(a) Margaret Spratt Little 19687 Peacock Valley Dr. Bristol, VA 24202	0.012 acres 1/15 of 0.18 acres	0.0204%
<u>Tract #9C, 0.29 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.29 acres	0.4937%

Exhibit E
Unit BF-108

BOOK - 725 PAGE 0623

Docket #VGOB 08-0219-2131
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #8, 0.18 acres</u>		
<i>Escrow due to Unknown / Unlocatable</i>		
<u>COAL OWNERSHIP</u>		
(1) Mary Elizabeth Graybeal, et al <i>(W.B. Spratt Heirs, et al - 19.82 Acre Tract)</i>	0.18 acres	0.3064%
(3) Harry Lee Spratt Heirs, Devisees, Successors or Assigns		
(b) Alice Spratt Johnson Heirs Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.018 acres 1/10 of 0.18 acres	0.0306%
<u>OIL & GAS OWNERSHIP</u>		
(1) Mary Elizabeth Graybeal, et al <i>(W.B. Spratt Heirs, et al - 19.82 Acre Tract)</i>	0.18 acres	0.3064%
(3) Harry Lee Spratt Heirs, Devisees, Successors or Assigns		
(b) Alice Spratt Johnson Heirs Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.018 acres 1/10 of 0.18 acres	0.0306%
<u>Tract #9A, 7.89 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	7.89 acres	13.4321%
<u>OIL & GAS OWNERSHIP</u>		
(1) Ethel Fuller Heirs, Devisees, Successors or Assigns	7.89 acres	13.4321%
(a) James S. Osborne P.O. Box 1957 Honaker, VA 24260	2.63 acres 1/3 of 7.89 acres	4.4774%
(b) Grace E. Deskins 5441 Drill Rd. Honaker, VA 24260	2.63 acres 1/3 of 7.89 acres	4.4774%
(c) Kyle S. Osborne 23 Aspen Court Honaker, VA 24260	2.63 acres 1/3 of 7.89 acres	4.4774%
<u>Tract #9B, 0.16 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.16 acres	0.2724%

Exhibit E
Unit BF-108
Docket #VGOB 08-0219-2131
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) James S. Osborne, et ux PO Box 1957 Honaker, VA 24260	0.16 acres	0.2724%
<u>Tract #9C, 0.29 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.29 acres	0.4937%
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.29 acres	0.4937%
<u>Tract #9D, 0.39 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.39 acres	0.6639%
<u>OIL & GAS OWNERSHIP</u>		
(1) Glenn Peck, Jr. Route 2 Box 541 Honaker, VA 24260-9649	0.39 acres	0.6639%
<u>Tract #9E, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	0.01 acres	0.0170%
<u>OIL & GAS OWNERSHIP</u>		
(1) Barbara Ray Rt.2 Box 532 Honaker, VA 24260	0.01 acres	0.0170%