

VIRGINIA:

110000810

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER - VACATE ORDER  
VGOB 09-0217-2464

ELECTIONS: UNIT BB-92  
(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 8, 2010 which was recorded at Document 100001270 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on May 19, 2010, (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 BB-92;

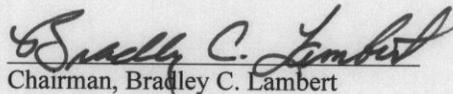
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company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

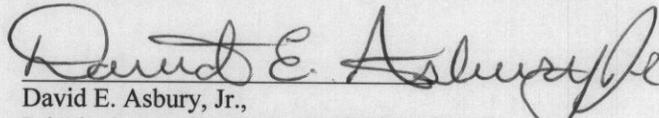
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

DONE AND EXECUTED this 16 day of March, 2011, by a majority of the Virginia Gas and Oil Board.

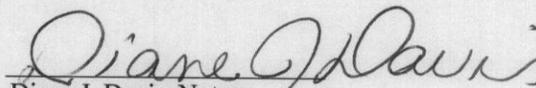
  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 16 day of March, 2011, 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 16<sup>th</sup> day of March, 2011, 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



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 BB-92  
VGOB 09-0217-2464 in the Hurricane district of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "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 April 8, 2010, 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 May 19, 2010;

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 all of the Respondents identified in Exhibit B-3 hereto have entered into voluntary agreements whereby they have leased and/or otherwise agreed with Applicant to a plan to develop their interests and claims within the unit to CBM. Hence, said unit may be voluntarily pooled.

See attached Exhibit B-2 and B-3 (Unit is 100% under Lease and/or Agreement).

That in light of the Agreement(s) described above, it is no longer necessary for the Board to maintain an escrow account/sub accounts pertaining to the above referenced CBM Unit, if applicable.

PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE.

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 24<sup>th</sup> day of February, 2011.

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., on behalf of the corporate Designated Operator, this 24<sup>th</sup> day of February, 2011.

Melissa Cumbow  
Notary

My commission expires: April 9, 2013.



N 297,064.52  
E 954,695.48

N 297,065.25  
E 956,294.63

SPACING & DISTANCE TO NEAREST WELLS  
WITHIN 2500' FROM CORNER  
THERE ARE NO WELLS

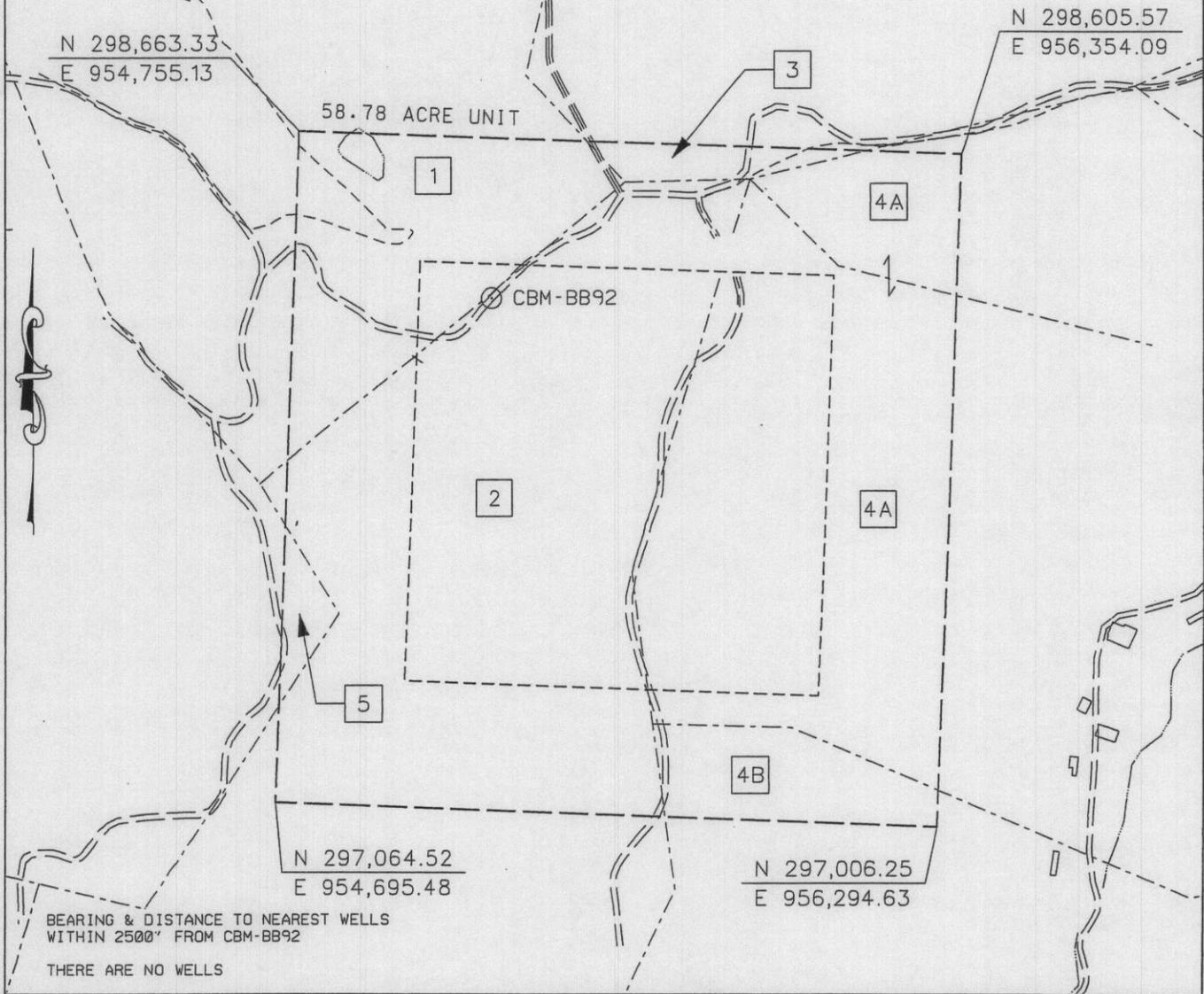
EXHIBIT A  
NORA FIELD  
UNIT BB92  
FORCE PODLING  
V008 09-0217-2464

Company CNX Gas Company LLC Well Name and Number UNIT BB92  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle BIG A  
County BUCHANAN District HURRICANE Scale: 1" = 400'  
This plot is a new plot  or an updated plot  or a final plat

Form D60-60-7 Rev. 9/91  
[Signature]  
Licensed Professional Engineer or Licensed Land Surveyor



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT REPRESENT A CURRENT FIELD SURVEY



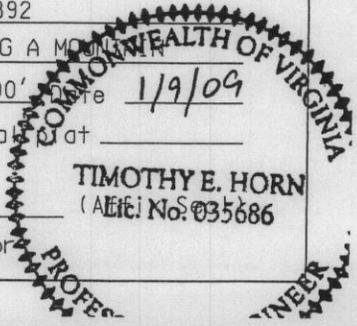
BEARING & DISTANCE TO NEAREST WELLS WITHIN 2500' FROM CBM-BB92  
THERE ARE NO WELLS

EXHIBIT A  
NORA FIELD  
UNIT BB92  
FORCE POOLING  
VGOB 09-0217-2464

Company CNX Gas Company LLC Well Name and Number UNIT BB92  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle BIG A MOORE  
 County BUCHANAN District HURRICANE Scale: 1" = 400' Date 1/9/09  
 This plat is a new plat \_\_\_\_\_ ; an updated plat X ; or a final plat \_\_\_\_\_

Form DGO-G0-7  
Rev. 9/91

D. J. Seal  
Licensed Professional Engineer or Licensed Land Surveyor



**CNX Gas Company LLC**  
**UNIT BB-92**  
**Tract Identification**

1. Levisa Coal Company, Tract 42 (59.11 Acre Tract) – All Minerals except Oil and Gas  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
John W. Pobst, Jr., et al – All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Freddie Fuller, et ux – Surface  
7.88 acres            13.4059%
  
2. Levisa Coal Company, Tract 45 (309.92 Acre Tract) – All Minerals except Oil and Gas  
John W. Pobst, Jr., et al – All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
James Penley, et al – Surface  
25.48 acres            43.3481%
  
3. ACIN, LLC (1000 Acre Tract) – All Coal  
Alpha Land and Reserves, LLC – Coal Leased  
Range Resources – Pine Mountain, Inc. – All Oil, Gas and CBM  
Equitable Production Company (50%)/Range Resources– Pine  
Mountain, Inc.(50%) – Oil, Gas and CBM Leased  
Donald L. Ratliff – Surface  
0.95 acres            1.6162%
  
4. Levisa Coal Company, Tract 44 (361.57 Acre Tract) – All Minerals except Oil and Gas  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
John W. Pobst, Jr., et al – All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
23.78 acres            40.4559%
  
- 4A. Clarence Ratliff, et al – Surface Owner
- 4B. Leslie M. Compton – Surface Owner
  
5. Levisa Coal Company, Tract 43 (121.49 Acre Tract) – All Minerals except Oil and Gas  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
John W. Pobst, Jr., et al – All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tony Glenn Greene, et ux – Surface  
0.69 acres            1.1739%

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Exhibit B-2  
Unit BB-92  
Docket #VGOB 09-0217-2464  
List of Respondents to be Added/Dismissed  
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit	Reason for Dismissal
<b>I. <u>COAL OWNERSHIP</u></b>			
<b><u>Tract #3 - 0.95 acres</u></b>			
(1) ACIN LLC *** c/o Western Pocahontas Properties LP P.O. Box 2827 1035 Third Avenue, Suite 300 Huntington, WV 25727	0.95 acres	1.6162%	Deemed Leased via JOA
<i>*** Note: There is no conflict with the Oil and Gas owner due to Range Resources - Pine Mountain Inc. has the ownership of the CBM Estate.</i>			
<b>II. <u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><u>Tract #3 - 0.95 acres</u></b>			
(1) Range Resources-Pine Mountain Inc. *** P. O. Box 2136 Abingdon, VA 24212	0.95 acres	1.6162%	Deemed Leased via JOA

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Exhibit B-3  
Unit BB-92  
Docket #VGOB 09-0217-2464  
List of Unleased Owners/Claimants  
(58.78 Acre Unit)

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Acres in Unit

Percent  
of Unit

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*Unit is 100% Leased*

INSTRUMENT #110000810  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
APRIL 4, 2011 AT 02:27PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB

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