

1407

TAX MAP IDENTIFICATION
NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE
SHOWN ON EXHIBIT Tract
Identification Sheet

16660

VIRGINIA: BK 1075 PG 0063

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-0818-2575

ELECTIONS: UNIT V-52
(herein Subject Drilling Unit)

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD.
ORDER RECORDED UNDER CODE OF
VIRGINIA SECTION 45.1-361.26

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

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 November 4, 2009 which was recorded in Deed Book 1067 Page 0811 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on December 18, 2009, (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 V-52;

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

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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 5 day of April, 2010, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 8 day of April, 2010, by Order of the Board.

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

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 8th day of April, 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
Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA:

BK 1075PG0065
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 V-52
VGOB 09-0818-2575 in the Maiden Springs District of Tazewell 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 November 4, 2009, 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 December 18, 2009;

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 November 4, 2009;

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

BK 1075PG0066

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:

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.

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 17th day of March, 2010.

Anita D. Duty
Anita D. Duty

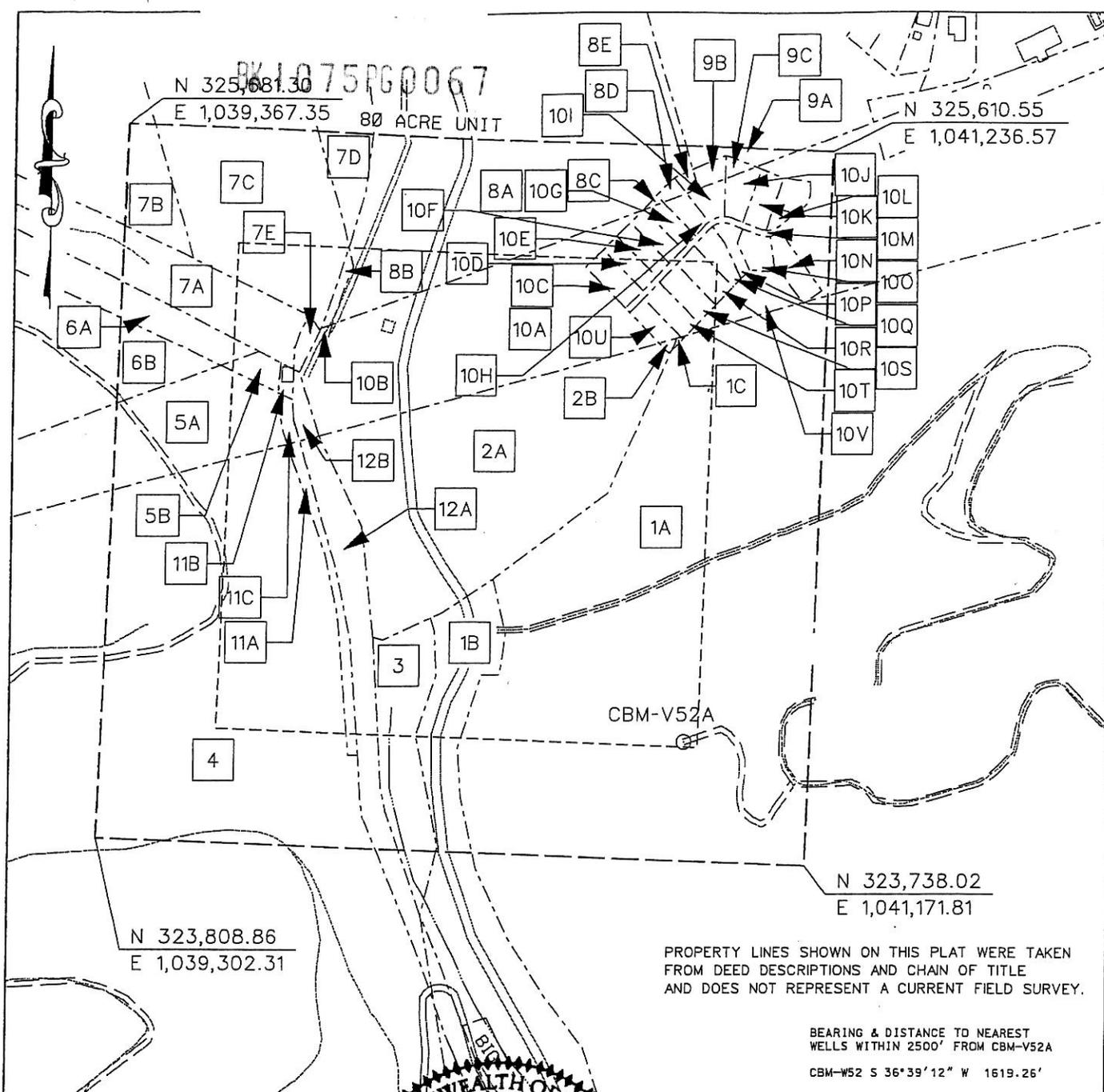
STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 17th day of March, 2010.

Diana M. Murphy
Notary

My commission expires: December 4, 2016





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-V52A
 CBM-W52 S 36°39'12" W 1619.26'

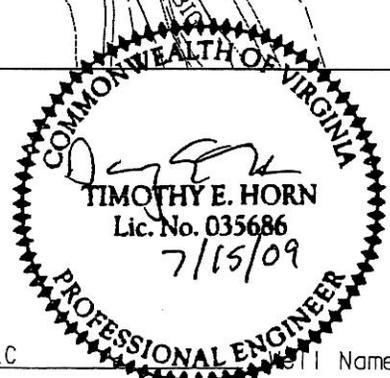


EXHIBIT A
 OAKWOOD FIELD
 UNIT V52
 FORCE POOLING
 VGOB 09-0818-2575

Company CNX Gas Company LLC Well Name and Number UNIT V52
 Tract No. _____ Elevation _____ Quadrangle JEWELL RIDGE
 County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date 7/15/09
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7 _____ (Affix Seal)
 Rev. 9/91
 Licensed Professional Engineer or Licensed Land Surveyor

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CNX Gas Company LLC

UNIT V52

Tract Identifications

1. Southern Region Industrial Realty Corporation, Tr.29 (256.27 Acre Tract) – All Coal Except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam and CBM in P-3 Seam
White Wolfe Energy, Inc. – All Coal except P-3, Raven Tiller and Lower Seaboard Seams Leased
Massey Energy – Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 47A, Parcel 69)
25.35 Acres 31.6875%

- 1A. Southern Region Industrial Realty Corporation - Surface
- 1B. Commonwealth of Virginia - Surface
- 1C. Unknown Surface Owner

2. Massey Energy (7.57 Acre Tract) – All Minerals Except Oil and Gas
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 47A, Parcel 00)
8.39 Acres 10.4875%

- 2A. Massey Energy – Surface
- 2B. Unknown Surface Owner

3. Norfolk Southern Railway Company (1.00 Acre Tract) – Fee Except Oil and Gas
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 47A, Parcel 00)
1.71 Acres 2.1375%

4. Southern Region Industrial Realty Corporation, Tr.27 (108.58 Acre Tract) – All Coal Except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam and CBM in P-3 Seam
White Wolfe Energy, Inc. – All Coal except P-3, Raven Tiller and Lower Seaboard Seams Leased
Massey Energy – Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
Southern Region Industrial Realty Corporation - Surface
(Tax Map 46A, Parcel 47)
14.02 Acres 17.5250%

5. Southern Region Industrial Realty Corporation, Tr.4 (9.49 Acre Tract) – All Coal Except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam and CBM in P-3 Seam
White Wolfe Energy, Inc. – All Coal except P-3, Raven Tiller and Lower Seaboard Seams Leased
Massey Energy – Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 46A, Parcel 46)
2.43 Acres 3.0375%

- 5A. Southern Region Industrial Realty Corporation – Surface
- 5B. Massey Energy – Surface

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CNX Gas Company LLC
UNIT V52
Tract Identifications

6. Southern Region Industrial Realty Corporation, Tr.28 (11.90 Acre Tract) – All Coal Except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam and CBM in P-3 Seam
White Wolfe Energy, Inc. – All Coal except P-3, Raven Tiller and Lower Seaboard Seams Leased
Massey Energy – Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 46A, Parcel 45)
1.35 Acres 1.6875%
- 6A. Massey Energy – Surface
6B. Southern Region Industrial Realty Corporation - Surface
7. Southern Region Industrial Realty Corporation, Tr.33 (158.85 Acre Tract) – All Coal Except P-3 Seam
Reserve Coal Properties Company – Coal in P-3 Seam and CBM in P-3 Seam
White Wolfe Energy, Inc. – All Coal except P-3, Raven Tiller and Lower Seaboard Seams Leased
Massey Energy – Raven, Tiller and Lower Seaboard Seams Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 46A, Parcel 50)
7.13 Acres 8.9125%
- 7A. Massey Energy – Surface
7B. Southern Region Industrial Realty Corporation - Surface
7C. Unknown Surface Owner
7D. Southern Region Industrial Realty Corporation – Surface
7E. Unknown Surface Owner
8. Pocahontas Mining Company Tr. HI (26.77 Acre Tract) – All Minerals
Reserve Coal Properties Company – Coal in P-3 Seam and 250' Above Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Raven Seams and All Seams Between Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 47A, Parcel 18A)
6.21 Acres 7.7625%
- 8A. Pocahontas Mining Company - Surface
8B. Unknown Surface Owner
8C. Unknown Surface Owner
8D. Unknown Surface Owner
8E. Unknown Surface Owner
9. Pocahontas Mining Company Tr. 2 (58.94 Acre Tract) – All Minerals
Reserve Coal Properties Company – Coal in P-3 Seam and 250' Above Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Raven Seams and All Seams Between Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 47A, Parcel 18A)
0.39 Acres 0.4875%
- 9A. Pocahontas Mining Company – Surface
9B. Unknown Surface Owner
9C. Unknown Surface Owner

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CNX Gas Company LLC

UNIT V52

Tract Identifications

10. Pocahontas Mining Company Tr. 77 (Samuel M. Graham 20.12 Acre Tract) – All Minerals
Reserve Coal Properties Company – Coal in P-3 Seam and 250' Above Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Raven Seams and All Seams Between Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 47A, Parcel 19)
10.84 Acres 13.5500%
- 10A. Pocahontas Mining Company – Surface
10B. Unknown Surface Owner
10C. Unknown Surface Owner
10D. Unknown Surface Owner
10E. Unknown Surface Owner
10F. Unknown Surface Owner
10G. Unknown Surface Owner
10H. Unknown Surface Owner
10I. Unknown Surface Owner
10J. Unknown Surface Owner
10K. Unknown Surface Owner
10L. Unknown Surface Owner
10M. Unknown Surface Owner
10N. Unknown Surface Owner
10O. Unknown Surface Owner
10P. Unknown Surface Owner
10Q. Unknown Surface Owner
10R. Unknown Surface Owner
10S. Unknown Surface Owner
10T. Unknown Surface Owner
10U. Unknown Surface Owner
10V. Unknown Surface Owner
11. Pocahontas Mining Company (0.42 Acre Tract) – All Minerals except Oil and Gas
Reserve Coal Properties Company – Coal in P-3 Seam and 250' Above Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Raven Seams and All Seams Between Leased
CNX Gas Company LLC – CBM Leased
Penn Virginia Oil and Gas Corporation – All Minerals except Coal
(Tax Map 46A, Parcel 46)
0.65 Acres 0.8125%
- 11A. Pocahontas Mining Company - Surface
11B. Massey Energy – Surface
11C. Southern Region Industrial Realty Corporation – Surface

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CNX Gas Company LLC

UNIT V52

Tract Identifications

- 12. Norfolk Southern Railway Company – All Minerals
CNX Gas Company LLC – CBM Leased
1.53 Acres 1.9125%
- 12A. Norfolk Southern Railway Company – Surface
- 12B. Southern Region Industrial Realty Corporation – Surface

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Exhibit B-3
Unit V-52
VGOB Docket # 09-0818-2575
List of Unleased Owners/Claimants
(80.00 Acre Unit)

		Net Acres in Unit	Interest in Unit
I.	<u>COAL OWNERSHIP</u>		
	<u>Tract #2 - 8.39 acres</u>		
(1)	Massey Energy (7.57 acre tract) P.O. Box 519 Raven, VA 24639	8.39 acres	10.487500%

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Exhibit E
Unit V-52

VGOB Docket # 09-0818-2575
List of Conflicting Owners/Claimants that require escrow
(80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit
<u>Tract #2 - 8.39 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Massey Energy (7.57 acre tract) P.O. Box 519 Raven, VA 24639	8.39 acres	10.487500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Penn Virginia Oil & Gas Corporation P. O. Box 102904 Atlanta, GA 30368-2904 White Wolf Energy, Inc. 300 Corporate Centre Drive Scott Depot, WV 25660	8.39 acres	10.487500%
<u>Tract #3, 1.71 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Norfolk Southern Railway Company <i>If no conflict, Royalties paid to:</i> Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701	1.71 acres	2.137500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Penn Virginia Oil & Gas Corporation P. O. Box 102904 Atlanta, GA 30368-2904 White Wolf Energy, Inc. 300 Corporate Centre Drive Scott Depot, WV 25660	1.71 acres	2.137500%
<u>Tract #11 - 0.65 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Pocahontas Mining LLC (0.42 acre tract) P. O. Box 1837 Abingdon, VA 24212	0.65 acres	0.812500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Penn Virginia Oil & Gas Corporation P. O. Box 102904 Atlanta, GA 30368-2904 White Wolf Energy, Inc. 300 Corporate Centre Drive Scott Depot, WV 25660	0.65 acres	0.812500%

INSTRUMENT #100001660
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
MAY 19, 2010 AT 04:22 PM
Angela O. Ray
JAMES E. ALEVINS, CLERK
RECORDED BY: ADR



OFFICIAL RECEIPT
TAZEWELL COUNTY CIRCUIT COURT
101 EAST MAIN STREET
TAZEWELL, VA 24651
276.988.1222

DEED RECEIPT

DATE: 05/19/10 TIME: 16:22:55 ACCOUNT: 185CLR100001660 RECEIPT: 10000007398
CASHIER: ADR REG: TC15 TYPE: ODU PAYMENT: FULL PAYMENT
INSTRUMENT : 100001660 BOOK: 1075 PAGE: 63 RECORDED: 05/19/10 AT 16:22
GRANTOR: VIRGINIA GAS AND OIL BOARD EX: N LOC: CO
GRANTEE: CNX GAS COMPANY LLC EX: N PCT: 100%
AND ADDRESS :

RECEIVED OF : COMM OF VA

CHECK: \$21.00 45282964

DESCRIPTION 1: SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER PAGES: 11 O/P 0
2: VGOB 09-0818-2575 NAMES: 0

CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:

301 DEEDS 21.00

TENDERED : 21.00
AMOUNT PAID: 21.00
CHANGE AMT : .00

CLERK OF COURT: JAMES E. BLEVINS

PAYOR'S COPY
RECEIPT COPY 1 OF 3