

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.2-1628**

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

JURISDICTION: Code of Virginia § 45.2-1600 (et seq)

UNITWELL NAME: AA10

TRACT(S): 3

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-90-0905-0012-05

APPLICANTS: Pocahontas Gas LLC on behalf of Kyle N. Price

HEARING DATE AND LOCATION: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Gas and Oil Director the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.2-1624 Effective date: July 1, 2015.

APPEARANCES: Mark A. Swartz on behalf of Pocahontas Gas LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 10/17/1990, Recorded on 10/26/1991, Deed Book/Instrument No. 366, Page 409, County BUCHANAN.
2. Supplemental Order Executed 08/23/1993, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415, County BUCHANAN.
3. Modification Order -01 Executed 06/12/2013, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415, County BUCHANAN.
4. Supplemental Order Executed 08/23/1993, Recorded on 07/30/2013, Deed Book/Instrument No. 130001415, County BUCHANAN.

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5. Disbursement Order -02 Executed 12/18/2014, Recorded on 01/06/2014, Deed Book/Instrument No. 15000014, County BUCHANAN.
6. Supplemental Order -01 Executed 02/27/2014, Recorded on 06/13/2014, Deed Book/Instrument No. 140000995, County BUCHANAN.
7. Disbursement Order -04 Executed 08/24/2016, Recorded on 08/30/2016, Deed Book/Instrument No. 160001557, County BUCHANAN.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3 relative to the interests of the Applicants identified in the attached petition.
- (3) Close the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.2-1622 AND § 45.2-1624.

Applicant has certified and represented to the Board that:

- a. Kyle N. Price is the gas claimant in Tract 3. As such Kyle N. Price is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.2-1624.A.
- b. That Pocahontas Gas LLC (previously CNX Gas Company LLC) has previously given the notice(s) required by § 45.2-1624.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 90-0905-0012-03, it dismissed the coal claimant(s) Harrison-Wyatt as a Respondent to these proceedings. Accordingly, Harrison-Wyatt, LLC was not provided further notice under § 45.2-1618 and 1624 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.2-1624 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.2-1624.A, further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Kyle N. Price and not escrow same. See Exhibit EE annexed hereto.

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1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to close the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

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

APPEALS:

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.2-1609 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 11 day of June, 2025 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Gus W. Janson

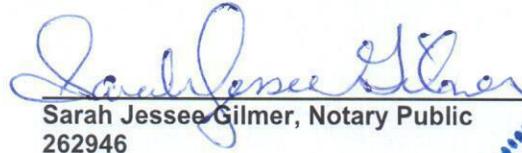
DONE AND PERFORMED this 11 day of June, 2025 by Order of the Virginia Gas and Oil Board.



James P. Skorupa
Principal Executive to the staff,
Virginia Gas and Oil Board

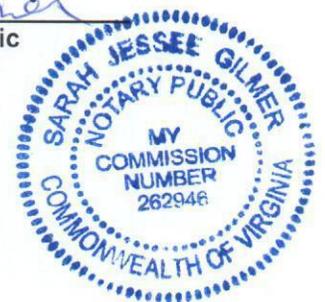
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 11th day of June, 2025, personally before me a notary public in and for the Commonwealth of Virginia, appeared Donald L. Ratliff, being duly sworn did depose and say that he is the Interim Chairman of the Virginia Gas and Oil Board and appeared James P. Skorupa, 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 was authorized to do so.



Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2029



BEFORE THE VIRGINIA GAS AND OIL BOARD**PETITIONER:** Pocahontas Gas LLC**GAS AND OIL PROGRAM****DOCKET NO:** VGOB

90-0905-0012-05

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.2-1624.**HEARING DATE:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Gas and Oil Director the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.2-1624. Effective date: July 1, 2015.**DRILLING UNIT:** AA10**BUCHANAN COUNTY, VIRGINIA****PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS****1. Petitioner and its counsel**

Petitioner is Pocahontas Gas LLC, PO Box 570, Pounding Mill, VA 24637, 276-596-5075.
Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201,
Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 3, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Kyle N. Price.

3. Legal Authority

Va. Code Ann. § 45.2-1600 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of Well(s)

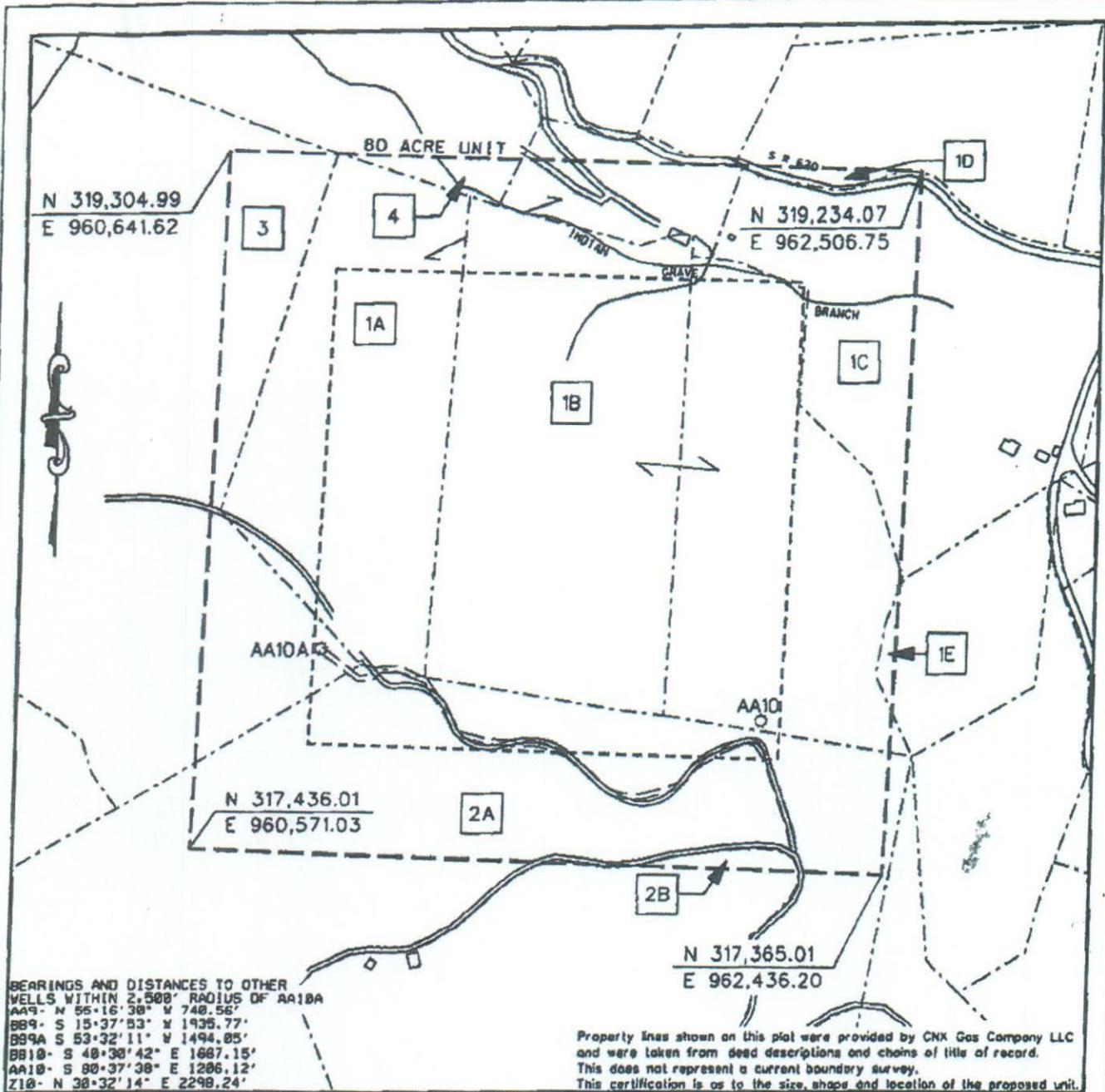
Coalbed Methane

5. Factual basis for relief requested

- a. Kyle N. Price is the gas claimant in Tract 3. As such Kyle N. Price is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.2-1624.A.
- b. That Pocahontas Gas LLC (previously CNX Gas Company LLC) has previously given the notice(s) required by § 45.2-1624.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 90-0905-0012-03, it dismissed the coal claimant(s) Harrison-Wyatt as a Respondent to these proceedings. Accordingly, Harrison-Wyatt, LLC was not provided further notice under § 45.2-1618 and 1624 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.2-1624 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.2-1624.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Kyle N. Price and not escrow same. See Exhibit EE annexed hereto.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.



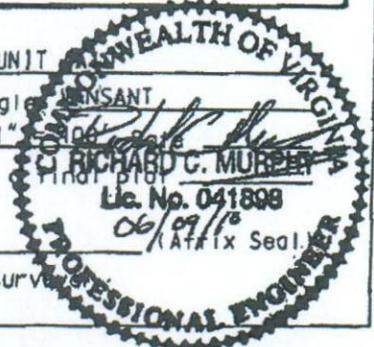
BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF AA10A
 AA9- N 56°16'30" W 740.56'
 BB9- S 15°37'53" W 1935.77'
 BB9A S 53°32'11" W 1494.05'
 BB10- S 40°30'42" E 1667.15'
 AA10- S 90°37'38" E 1206.12'
 Z10- N 38°32'14" E 2298.24'

Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.

EXHIBIT A
 DAKWOOD FIELD
 UNIT AA10
 FORCE POOLING
 VGOB-90-0905-0012-01

Company CNX Gas Company LLC Well Name and Number UNIT
 Tract No. _____ Elevation _____ Quadrangle WINSANT
 County BUCHANAN District PRATER/HURRICANE Scale: 1" = 100 feet
 This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Richard C. Murphy



Form DGO-GD-7
 Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC
Unit AA 10
 Tract Identifications

1. Harrison-Wyatt, LLC Big Axe Tr. 35 (188.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 54.78 Acres 68.4750%
- 1A. Patsy Hess, et al – Surface Owner
- 1B. Beacher A. Hess – Surface Owner
- 1C. Unknown Surface Owner
- 1D. Unknown Surface Owner
- 1E. Unknown Surface Owner
2. Harrison-Wyatt, LLC Big Axe Tr. 15 (1056.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 17.60 Acres 22.00%
- 2A. Roger W. Street – Surface Owner
- 2B. Unknown Surface Owner
3. Harrison-Wyatt, LLC Big Axe Tr. 39 (435 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 D.W. Price Heirs – Surface, Oil and Gas
 CNX Gas Company LLC – Oil and Gas Leased (75.00%)
 Harrison-Wyatt, LLC, et al – CBM (50%)
 CNX Gas Company LLC – CBM Leased
 6.92 Acres 8.6500%
4. Harrison-Wyatt, LLC Big Axe Tr. 51 (120.00 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Unknown Surface Owner
 0.70 Acres 0.8750%

Exhibit E
Unit AA-10
Docket # VGOB 90-0905-0012-05
List of all Respondents Requiring Escrow
(80.00 Acre Unit)

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Acres in Unit

Percent of
Unit

Escrowing no longer required

Exhibit EE
Unit AA-10
Docket # VGOB 90-0905-0012-05
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

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	Acres in Unit	Percent of Unit	Percent of Escrow
<u>Tract #3 - 6.92 acres</u>			
COAL OWNERSHIP			
(1) Harrison-Wyatt, LLC <i>Big Ax Tr. 39 (435.00 acres)</i> P.O. Box 11000 Danville, VA 24543	6.92 acres	8.6500%	<i>n/a</i>
OIL & GAS OWNERSHIP			
(1) D.W. Price Heirs, Devisees, Successors or Assigns <i>(40 Acre Tract)</i>	6.92 acres	8.6500%	
(a) Elizabeth Newberry Heirs, Devisees, Successors or Assigns			
(a.1) Willie Ronald Newberry PO Box 100 Doran, VA 24612	1.15 acres 1/6 of 6.92 acres	1.4417%	<i>n/a</i>
(a.2) Mildred Miller Heirs, Devisees Successors or Assigns			
(a.2.1) Roger L. Miller Heirs, Devisees, Successors, or Assigns			
(a.2.1.1) Kenneth J. Miller 2532 Mill Creek Road Raven, VA 24639	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
(a.2.1.2) Joey Miller 161 Mustang Drive Honaker, VA 24260	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
(a.3) Shirley Blair Heirs, Devisees Successors or Assigns			
(a.3.1) Teresa McGlothlin 757 Burnette St. Richlands, VA 24641	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
(a.3.2) Sherrie Boyd Street 216 Brown Bottom Lane Cedar Bluff, VA 24609	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
(b) Carl V. Price Heirs, Devisees, Successors or Assigns			
(b.2) David Price 4344 Stinson Ridge Road Rowe, VA 24646	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.3) Michael W. Price, Sr. 12240 Brent Town Road Midland, VA 22728	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.4) Junior Vidis Price Heirs, Devisees, Successors or Assigns			
(b.4.1) Barbara G. Price Heirs, Devisees, Successors, or Assigns			
(b.4.1.1) Juanita E. Price 18 Vandyke Circle Swords Creek, VA 24649	0.04 acres 1/180 of 6.92 acres	0.0481%	<i>n/a</i>

Exhibit EE
Unit AA-10
Docket # VGOB 90-0905-0012-05
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

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	Acres in Unit	Percent of Unit	Percent of Escrow
(b.4.1.2) Edward Wilson PO Box 304 Swords Creek, VA 24649	0.04 acres 1/180 of 6.92 acres	0.0481%	<i>n/a</i>
(b.4.1.3) Linda Wilson Jasso 2422 Tracy Lane Highlands, TX 77562	0.04 acres 1/180 of 6.92 acres	0.0481%	<i>n/a</i>
(b.4.1.4) Mickey Wilson PO Box 304 Swords Creek, VA 24649	0.04 acres 1/180 of 6.92 acres	0.0481%	<i>n/a</i>
(b.4.1.5) Kyle N. Price PO Box 1419 Honaker, VA 24260	0.04 acres 1/180 of 6.92 acres	0.0481%	<i>n/a</i>
(b.4.2) Kermit Price 306 Burr Drive Ruther Glen, VA 22546	0.06 acres 1/108 of 6.92 acres	0.0801%	<i>n/a</i>
(b.4.3) Kelvin Price 306 Burr Drive Ruther Glen, VA 22546	0.06 acres 1/108 of 6.92 acres	0.0801%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.4.4) Kyle N. Price PO Box 1419 Honaker, VA 24260	0.06 acres 1/108 of 6.92 acres	0.0801%	100.00% HB2058
(b.4.5) Wilma Diane Taylor PO Box 1616 Honaker, VA 24260	0.06 acres 1/108 of 6.92 acres	0.0801%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.4.6) Teresa Stevens 107 Fox Meadows Drive, Apt K7 Lebanon, VA 24266	0.06 acres 1/108 of 6.92 acres	0.0801%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.4.7) Juanita E. Price PO Box 304 Swords Creek, VA 24649	0.06 acres 1/108 of 6.92 acres	0.0801%	<i>n/a</i>
(b.5) Russell E. Price PO Box 96 Thornburg, VA 22565	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.6) Mary Shortt 409 Putnam Road Honaker, VA 24260	0.58 acres 1/12 of 6.92 acres	0.7208%	<i>n/a</i>
<i>Represented by T. Shea Cook</i>			
(b.7) Dorothy Musick Heirs, Devisees, Successors or Assigns			
(b.7.1) Edna Gail Musick 13264 Ritchie Road Meadowview, VA 24361	0.19 acres 1/36 of 6.92 acres	0.2403%	<i>n/a</i>
(b.7.2) Tena Dingus 388 Clairmont Circle Castlewood, VA 24224	0.19 acres 1/36 of 6.92 acres	0.2403%	<i>n/a</i>

Exhibit EE
Unit AA-10
Docket # VGOB 90-0905-0012-05
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

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	Acres in Unit	Percent of Unit	Percent of Escrow
(b.7.3) Charles Rexford Musick 3329 Carney Farm Lane Portsmouth, VA 23701	0.19 acres 1/36 of 6.92 acres	0.2403%	n/a
<u>TOTAL CONFLICTS RESOLVED:</u>			
	Acreage in Unit	6.9200	
	Percentage of Unit	8.6500%	

INSTRUMENT 250000771
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
JULY 15, 2025 AT 03:54 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: LMP