

VIRGINIA:

210000586

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER – **VACATE ORDER**
VGOB 92-1117-0291

ELECTIONS: **Unit Y-8**
(herein Subject Drilling Unit)

Note: *This Order is being Vacated due to ongoing due diligence revealing the unit is 100% leased*

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 **May 31, 1991 (“Original Pooling Order”)** and **February 5, 1993 (“Modified Pooling Order”)**, which Orders were recorded at **Deed Book 375, Page 456 and Deed Book 404, Page 627** in the Office of the Clerk of the Circuit Court of **Buchanan** County, Virginia, on **May 31, 1991 and February 17, 1993**, (herein “Board Order”) and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS 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 Y-8**;

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, 667 West Main Street, Abingdon, VA 24210, Attn: Escrow Agent** 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.

210000586

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.

210000586

DONE AND EXECUTED this 23 day of April, 2021 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

DONE AND PERFORMED this 23 day of April, 2021 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 23rd day of April, 2021, 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 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, 2021



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas LLC for Forced Pooling of Interests in CBM Unit Y-8
VGOB 92-1117-0291 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF POCAHONTAS GAS LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Sherri R. Scott, being first duly sworn on oath, deposes and says:

That your affiant is employed by Pocahontas Gas LLC, as a Manager of Land Records, Division of Interest, and Pooling and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS LLC, the designated operator,

That the Order entered on May 31, 1991 ("Original Pooling Order") and February 5, 1993 ("Modified Pooling Order"), 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 Abingdon, 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 31, 1991 and February 17, 1993;

That all of the Respondents identified in Exhibit B-2 and 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*).

That in light of the fact(s) described above, the unit is voluntarily pooled and it is not necessary for the Board to maintain an escrow account/sub accounts pertaining to the above referenced CBM Unit.

210000586

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 Cedar Bluff, Virginia, this 14th day of January, 2021.

Sherril R. Scott
Sherril R. Scott

STATE OF VIRGINIA
COUNTY OF TAZEWELL

Taken, subscribed and sworn to before me by Sherril R. Scott as a Manager of Land Records, Division of Interest, and Pooling for CNX Resources on behalf of the corporate Designated Operator, this 14th day of January, 2021.

5th Bluff
Notary

My commission expires: August 31, 2024.

Blevins
Notary Public
29

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

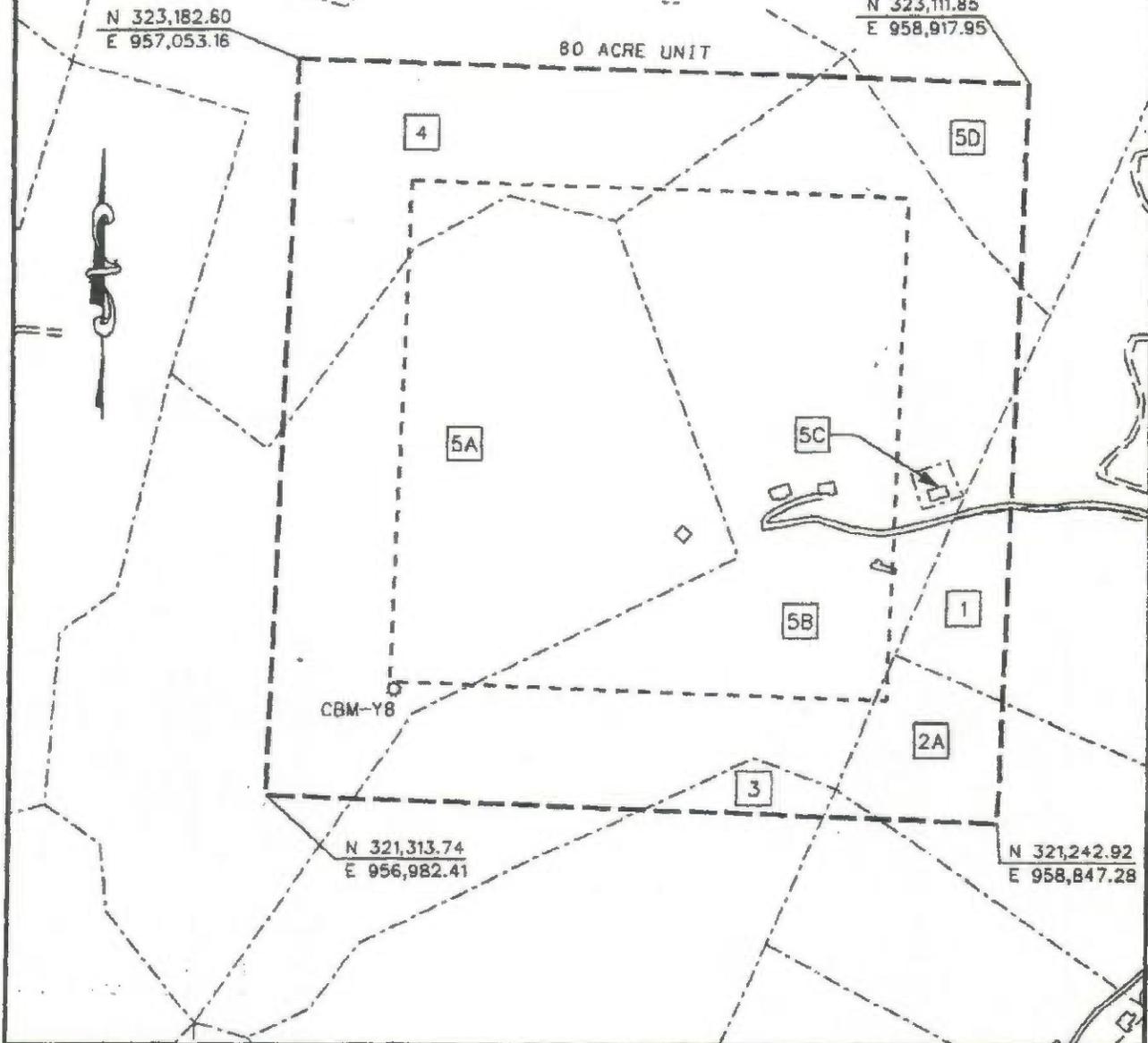


EXHIBIT A
 OAKWOOD FIELD UNIT Y-8
 FORCE POOLING
 VGOB-92-1117-0291-01

Company CONSOL Energy Inc. Well Name and Number UNIT Y8
 Tract No. _____ Elevation _____ Quadrangle Vansant
 County Buchanan District Prater Scale: 1" = 400' Date 7/16/01
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

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

CONSOL Energy Inc.
UNIT Y-8
Tract Identifications

1. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 38 - Coal
 Island Creek Coal Co. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Co. - Coal Above Jawbone Seam Leased
 Wellmore Coal Co. - Jawbone and Tiller Seams Leased
 Buchanan Production Co. - CBM Leased
 Eva Singleton, et al. - Oil & Gas
 Buchanan Production Co. - Oil, Gas & CBM Leased
 Drema Melton - Surface
 2.62 acres 3.2750 %

2. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 51 - Coal, Oil & Gas
 Island Creek Coal Co. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
 Wellmore Coal Co. - Jawbone and Tiller Seams Leased
 Buchanan Production Co. - CBM Leased
 Buchanan Production Co. - Oil & Gas Leased
 3.14 acres 3.9250 %

- 2A. Unknown Surface Owner
- 2B. Unknown Surface Owner

3. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 39 - Coal
 Island Creek Coal Co. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
 Wellmore Coal Co. - Jawbone and Tiller Seams Leased
 Buchanan Production Co. - CBM Leased
 Robert A. Rash - Oil & Gas
 Buchanan Production Co. - Oil, Gas & CBM Leased
 Unknown Surface Owner
 0.93 acres 1.1625 %

4. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 27 - Coal
 Island Creek Coal Co. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
 Wellmore Coal Co. - Jawbone and Tiller Seams Leased
 Buchanan Production Co. - CBM Leased
 Hubert and Evelyn Sue Vance Keen - Surface, Oil & Gas
 Buchanan Production Co. - Oil, Gas & CBM Leased
 11.61 acres 14.5125 %

210000586

CONSOL Energy Inc.
UNIT Y-8
Tract Identifications

5. Harrison-Wyatt, L.L.C. (Big Axe) Tr. 37 - Coal
Island Creek Coal Co. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Co. - Coal Above Jawbone Leased
Wellmore Coal Co. - Jawbone and Tiller Seams Leased
Buchanan Production Co. - CBM Leased
Heirs, Devisees, Successors or Assigns of Frank Howard - Oil & Gas (50%)
Heirs, Devisees, Successors or Assigns of James A. Tiller - Oil & Gas (50%)
61.70 acres 77.1250 %
- 5A. Riddle Colley Heirs - Surface
5B. Unknown Surface Owner
5C. Unknown Surface Owner
5D. Ronald Brents - Surface

Exhibit B-2
Unit Y-8
Docket# VGOB 92-1117-0291
List of Respondents to be Dismissed

210000586

	Acres in Unit	Percent of Unit	Reason for Dismissal
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #1 - 2.62 acres</u>			
<i>Pending Litigation - Case #875-15 filed by Harrison-Wyatt, LLC</i>			
(1) Martin Edd Boyd Heirs, et al <i>(A/K/A W.R. and Mary Lester Heirs)</i>	2.62 acres	3.275%	Leased*
(a) Martin Edd Boyd Heirs, Devisees, Successors or Assigns			
(a.1) Virginia Ratliff Boyd Heirs, Devisees, Successors, or Assigns			
(a.1.1) Dreema B. Melton PO Box 16581 Bristol, VA 24209	0.61 acres 7/30 of 2.62 acres	0.7642%	Leased
(a.1.2) Audrey A. Perkins 1023 Perkins Hill Vansant, VA 24656	0.61 acres 7/30 of 2.62 acres	0.7642%	Leased
(a.1.3) Regina B. O'Quinn PO Box 1031 Vansant, VA 24656	0.61 acres 7/30 of 2.62 acres	0.7642%	Leased
(b) Clayton Perkins 1023 Perkins Hill Vansant, VA 24656			
(c) Eva Singleton Heirs, Devisees, Successors, or Assigns			
(c.1) Bernice S. Etter 3100 Ann Street Middleton, MD 21769			
(c.2) Lema O. Meadows Heirs, Devisees, Successors, or Assigns			
(c.2.1) Andy G. Meadows Heirs, Devisees, Successors, or Assigns			
(c.2.1.1) Judie Deane White 3909 E. Bluegrass Trail Bland, VA 24315	0.04 acres 1/60 of 2.62 acres	0.0546%	Leased
(c.2.1.2) Donnie Lee Meadows 17349 Mahogany Drive Abingdon, VA 24210	0.04 acres 1/60 of 2.62 acres	0.0546%	Leased
(c.2.1.3) Janice Meadows Stowers 310 Circle Road Bluefield, VA 24605	0.04 acres 1/60 of 2.62 acres	0.0546%	Leased
(c.3) Estel Darnel Singleton Heirs, Devisees, Successors or Assigns			
(c.3.1) Estel D. Singleton, Jr. 4819 Lange Lane Roanoke, VA 24018	0.07 acres 1/40 of 2.62 acres	0.0819%	Leased
(c.3.2) James M. Singleton 285 Parker Place Orange, VA 22960	0.07 acres 1/40 of 2.62 acres	0.0819%	Leased

Exhibit B-2
Unit Y-8
Docket# VGOB 92-1117-0291
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
(c.4) Vicky Lynn Singleton Cruey 49 Boileau Court Middleton, MD 21769	0.13 acres 1/20 of 2.62 acres	0.1638%	Leased

* *Martin Edd Boyd, Clayton Perkins, and Eva Singleton leased the Oil, Gas and CBM by agreement dated September 28, 1990, recorded in Deed Book 369, at Page 672*

-OR-

(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	2.62 acres	3.2750%	Leased
--	------------	---------	--------

Tract #5 - 61.70 acres

(1) Harrison-Wyatt LLC** P.O. Box 11000 Danville, VA 24543	61.70 acres	77.1250%	Leased
--	-------------	----------	--------

*Prevailing plaintiff under Case No. CL12-736
Awarded 100% of the CBM royalty.*

** *Previously shown as Howard and Tiller Heirs (unknown). Case # CL12000736-000 order was entered 12/9/2019 and quieted, confirmed, and approved title to the coal and mineral underlying the 105 acre parcel in Harrison-Wyatt, LLC.*

Exhibit B-3
Unit Y-8
Docket# VGOB 92-1117-0291
List of Unleased Owners/Claimants

210000586

Acres in Unit

Percent
of Unit

ii. OIL & GAS FEE OWNERSHIP

Unit is 100% Leased

Exhibit E
Unit Y-8
Docket# VGOB 92-1117-0291
List of Owners/Claimants that require escrow

210000586

Acres in Unit	Percent of Unit
---------------	--------------------

*Escrowing no longer required
All funds previously held in escrow will be returned to Pocahontas Gas LLC for distribution
as outlined on Exhibit EE*

	Acres in Unit	Percent of Unit
Tract #1 - 2.62 acres		
<i>Pending Litigation Case #875-15 filed by Harrison-Wyatt</i>		
<i>All royalty for this tract will be held in internal suspense until an order is entered in Case #875-15</i>		
COAL OWNERSHIP		
(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	2.62 acres	3.275%
OIL & GAS OWNERSHIP		
(1) Martin Edd Boyd Heirs, et al	2.62 acres	3.2750%
(a) Martin Edd Boyd Heirs, Devisees, Successors or Assigns		
(a.1) Virginia Ratliff Boyd Heirs, Devisees, Successors, or Assigns		
(a.1.1) Dreama B. Melton PO Box 16581 Bristol, VA 24209	0.61 acres 7/30 of 2.62 acres	0.7642%
(a.1.2) Audrey A. Perkins 1023 Perkins Hill Vansant, VA 24656	0.61 acres 7/30 of 2.62 acres	0.7642%
(a.1.3) Regina B. O'Quinn PO Box 1031 Vansant, VA 24656	0.61 acres 7/30 of 2.62 acres	0.7642%
(b) Clayton Perkins 1023 Perkins Hill Vansant, VA 24656	0.26 acres 1/10 of 2.62 acres	0.3275%
(c) Eva Singleton Heirs, Devisees, Successors, or Assigns		
(c.1) Bernice S. Etter 3100 Ann Street Middleton, MD 21769	0.13 acres 1/20 of 2.62 acres	0.1638%
(c.2) Lema O. Meadows Heirs, Devisees, Successors, or Assigns		
(c.2.1) Andy G. Meadows Heirs, Devisees, Successors, or Assigns		
(c.2.1.1) Judie Deane White 3909 E. Bluegrass Trail Bland, VA 24315	0.04 acres 1/60 of 2.62 acres	0.0546%
(c.2.1.2) Donnie Lee Meadows 17349 Mahogany Drive Abingdon, VA 24210	0.04 acres 1/60 of 2.62 acres	0.0546%
(c.2.1.3) Janice Meadows Stowers 310 Circle Road Bluefield, VA 24605	0.04 acres 1/60 of 2.62 acres	0.0546%
(c.3) Estel Darnel Singleton Heirs, Devisees, Successors or Assigns		
(c.3.1) Estel D. Singleton, Jr. 4819 Lange Lane Roanoke, VA 24018	0.07 acres 1/40 of 2.62 acres	0.0819%

Exhibit EE
Unit Y-8
Docket# VGOB 92-1117-0291
List of Respondents with Royalty Split Agreement/Court Order/HB2058

	Acres in Unit	Percent of Unit
(c.3.2) James M. Singleton 285 Parker Place Orange, VA 22960	0.07 acres 1/40 of 2.62 acres	0.0819%
(c.4) Vicky Lynn Singleton Cruet 49 Boileau Court Middleton, MD 21769	0.13 acres 1/20 of 2.62 acres	0.1638%
-OR-		
(f) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	2.62 acres	3.2750%

Tract #3 - 0.93 acres**COAL OWNERSHIP**

(f) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	0.93 acres	1.1625%
--	------------	---------

OIL & GAS OWNERSHIP

(f) Robert A. Rash	<i>Conveyed by Deed dated 7/14/2004, under Document #050002890</i>	
--------------------	--	--

**** NOTE:** In order to resolve the CBM conflict, by Deed dated August 9, 2001, Harrison-Wyatt LLC and Robert A. Rash conveys an undivided one-half (1/2) interest in the CBM Estate to Harrison-Wyatt LLC and Robert A. Rash (Deed Book 542, Page 711)

(a) Robert Russell Rash	<i>Conveyed by Deed dated 3/7/2010, under Document #130001027</i>	
-------------------------	---	--

(a.1) Robert Russell & Lynette B. Rash 519 Richardson Dr Tazewell, VA 24651	0.93 acres	1.1625%
---	------------	---------

Tract #4 - 11.61 acres**COAL OWNERSHIP**

(f) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	11.61 acres	14.5125%
--	-------------	----------

OIL & GAS OWNERSHIP

(f) Pocahontas Gas LLC 1000 Consol Energy Drive Canonsburg, PA 15317	11.61 acres	14.5125%
--	-------------	----------

Tract #5 - 61.70 acres**COAL OWNERSHIP**

(f) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	61.70 acres	77.1250%
--	-------------	----------

	Acres in Unit	Percent of Unit
OIL & GAS OWNERSHIP		
<i>Disbursement from internal suspense is forthcoming</i>		
(1) Harrison-Wyatt LLC** P.O. Box 11000 Danville, VA 24543	61.70 acres	77.1250%
<i>Prevailing plaintiff under Case No. CL12-736 Awarded 100% of the CBM royalty.</i>		
<i>** Previously shown as Howard and Tiller Heirs (unknown). Case # CL12000736-000 order was entered 12/9/2019 and quieted, confirmed, and approved title to the coal and mineral underlying the 105 acre parcel in Harrison-Wyatt, LLC.</i>		
TOTALS:		
Total Acreage Resolved in Unit	76.8600	
Total Percentage Resolved of Unit		96.0750%

INSTRUMENT 210000586
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
MAY 20, 2021 AT 04:12 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: CXE