

VIRGINIA:

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

## SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER

VGOB 92-1117-0292-02

*(this order shall supercede prior orders entered under docket no. 90-1010-0030 & 93-0420-0351)*

ELECTIONS: UNIT X-9

(herein Subject Drilling Unit)

REPORT OF BOARDFINDINGS 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 July 20, 2021 which was recorded at Instrument 210001038 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 20, 2021 (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 X-9

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** 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.

210001450

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 25 day of October, 2021 by a majority of the Virginia Gas and Oil Board.

210001450

Interim Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 25<sup>th</sup> day of October, 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, that he executed the same and was authorized to do so.

Sarah Jessee Gilmer, Notary Public  
262946



My Commission expires: July 31, 2025

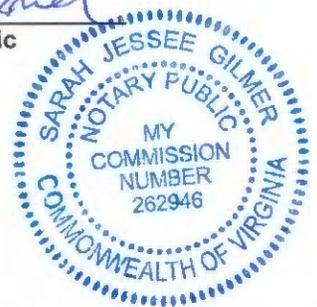
DONE AND PERFORMED this 28 day of October, 2021 by Order of the Virginia Gas and Oil Board.

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 28<sup>th</sup> day of October, 2021, personally before me a notary public in and for the Commonwealth of Virginia, 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 he executed the same and was authorized to do so.

Sarah Jessee Gilmer, Notary Public  
262946



My Commission expires: July 31, 2025

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas LLC for Re-Pooling of Interests in Unit X-9  
VGOB 92-1117-0292-02 (prior orders 90-1010-0030 & 93-0420-0351) 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 CNX Resources, Inc., as a Manager – Land Records, Division Orders, & Pooling and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS LLC, the designated operator,

That the Order entered on July 20, 2021, 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 Big Stone Gap, 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 August 20, 2021;

That the designated operator POCAHONTAS GAS 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:

Buchanan County – Participating Operator, Tract 1A

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 August 20, 2021;

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:

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, which allows 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 Cedar Bluff, Virginia, this 21<sup>st</sup> day of October, 2021.

Sherrri R. Scott  
Sherrri R. Scott

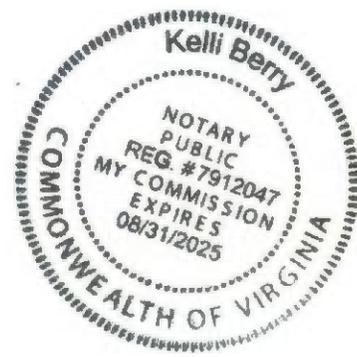
STATE OF VIRGINIA  
COUNTY OF TAZEWELL

Taken, subscribed and sworn to before me by Sherrri R. Scott as a Manager – Land Records, Division Orders, & Pooling for CNX Resources

on behalf of the corporate Designated Operator, this 21<sup>st</sup> day of October, 2021.

Kelli Berry  
Notary

My commission expires: 8/31/2025

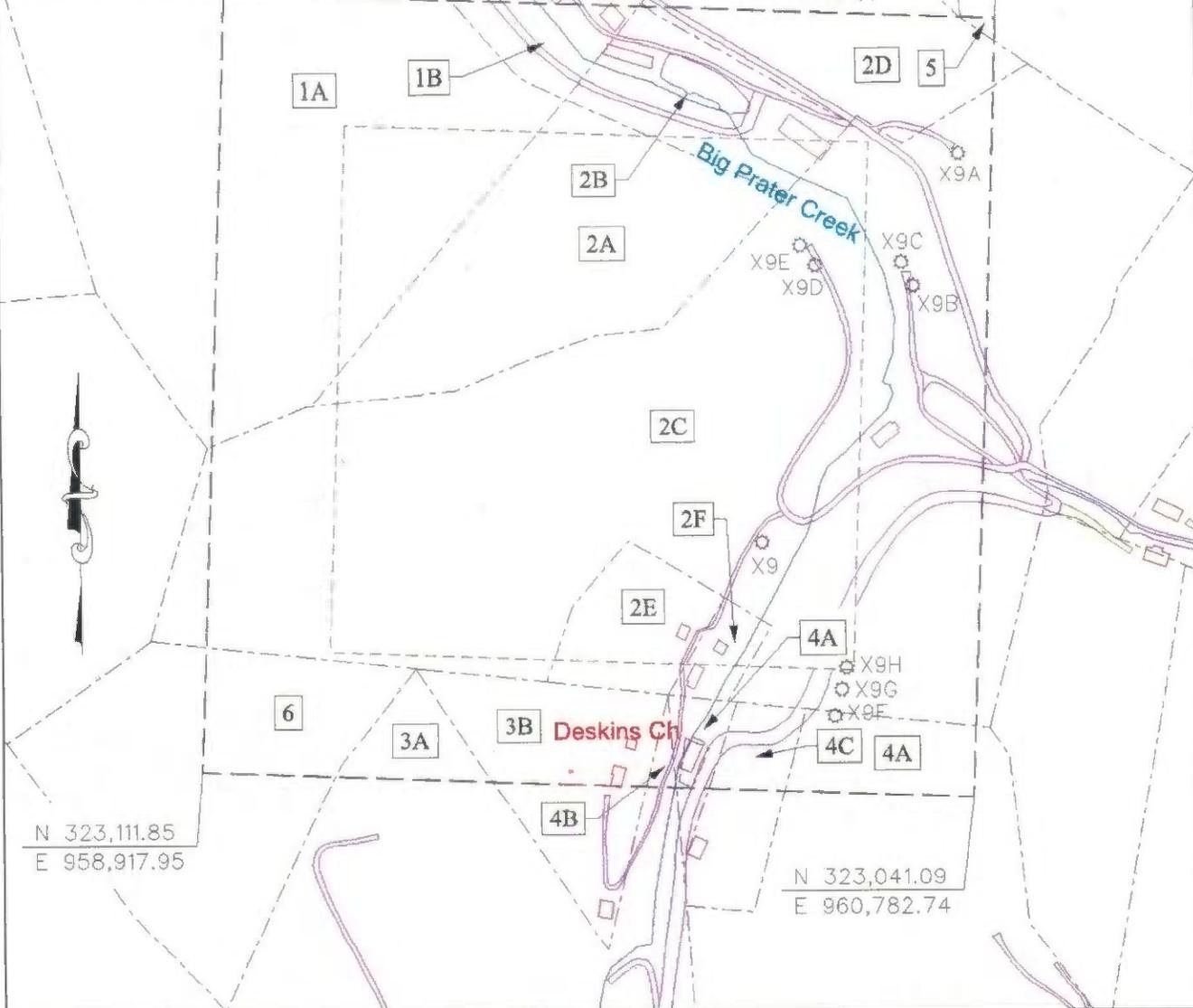


PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY POCAHONTAS GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE OF RECORD IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.

N 324,980.48  
E 958,988.61

N 324,909.78  
E 960,853.32

80 ACRE UNIT



N 323,111.85  
E 958,917.95

N 323,041.09  
E 960,782.74

EXHIBIT A  
OAKWOOD FIELD  
UNIT X-9  
FORCE POOLING  
VGOB-92-1117-0292-02

Company POCAHONTAS GAS LLC

Well Name and Number UNIT X9

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_

Quadrangle Allen Mitchell

County Buchanan District Prater

Scale: 1" = 400'

This plat is a new plat X Allen Mitchell plat

or a first



**Allen Mitchell**  
Digitally signed by Allen Mitchell  
Date: 2021.07.06 07:55:00 -04'00'

Form DGO-GO-7  
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

**Pocahontas Gas LLC**  
**UNIT X9**  
**Tract Identifications**

- 1A. Harrison-Wyatt, LLC (Big Axe) Tract 27 (205 acres) – Coal  
 Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
 Revelation Energy, LLC – Coal Above Drainage Leased  
 Buchanan County, VA – Surface, Oil, and Gas  
 12.89 Acres      16.1125%
- 1B. Harrison-Wyatt, LLC (Big Axe) Tract 27 (205 acres) – Coal  
 Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
 Revelation Energy, LLC – Coal Above Drainage Leased  
 Virginia Department of Transportation – Surface, Oil, and Gas  
 1.27 Acres      1.5785%
2. Harrison-Wyatt, LLC (Big Axe) Tract 40 (155 acres) – Mineral  
 Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
 Revelation Energy, LLC – Coal Above Drainage Leased  
 Pocahontas Gas LLC - Oil, Gas, and CBM Leased  
 55.53 Acres      69.4125%
- 2A. Buchanan County, VA - Surface  
 2B. Virginia Department of Transportation – Surface  
 2C. CNX Gas Company LLC  
 2D. Buchanan County, VA – Surface  
 2E. Unknown Surface Owner  
 2F. Unknown Surface Owner
- 3A. Harrison-Wyatt, LLC (Big Axe) Tract 38 (56 acres) – Coal  
 Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
 Revelation Energy, LLC – Coal Above Drainage Leased  
 Harrison-Wyatt, LLC or Martin Edd Boyd Heirs, et al – Oil, Gas, and CBM  
 Pocahontas Gas LLC - Oil, Gas, and CBM Leased  
 Martin Edd Boyd Heirs, et al - Surface  
 1.39 Acres      1.7375%
- 3B. Harrison-Wyatt, LLC (Big Axe) Tract 38 (56 acres) – Coal  
 Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
 Revelation Energy, LLC – Coal Above Drainage Leased  
 Harrison-Wyatt, LLC or Clayton Perkins, et al – Oil, Gas, and CBM  
 Pocahontas Gas LLC - Oil, Gas, and CBM Leased  
 Clayton Perkins, et al - Surface  
 2.75 Acres      3.4375%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

**Pocahontas Gas LLC  
UNIT X9  
Tract Identifications**

4. Harrison-Wyatt, LLC (Big Axe) Tract 30 (140 acres) –Mineral  
Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
Revelation Energy, LLC – Coal Above Drainage Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM Leased  
3.39 Acres      4.2375%
- 4A. Unknown Surface Owner  
4B. Unknown Surface Owner  
4C. Unknown Surface Owner
5. Harrison-Wyatt, LLC (Big Axe) Tract 31 (450 acres) – Coal  
Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
Revelation Energy, LLC – Coal Above Drainage Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM  
CNX Gas Company LLC - Surface  
0.04 Acres      0.0500%
6. Harrison-Wyatt, LLC (Big Axe) Tract 37 (105 acres) – Mineral  
Island Creek Coal Company or CONSOL Mining Company – Coal Below Tiller Leased  
Revelation Energy, LLC – Coal Above Drainage Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM Leased  
Theresa Brents - Surface  
2.74 Acres      3.4250%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

Exhibit B-3  
Unit X-9  
Prior Docket(s) #VGOB 90-1010-0030 & 93-0420-0351  
Re-Pooling Docket #VGOB 92-1117-0292-02  
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
<b>ii. OIL &amp; GAS OWNERSHIP</b>			
<b><u>Tract #1A - 12.89 acres</u></b>			
(1) County of Buchanan Virginia PO Box 1056 Grundy, VA 24614	12.89 acres	16.1125%	Participating
Notices and Correspondence: County of Buchanan Virginia Attn: Robert Craig Horn - County Administrator PO Box 1056 Grundy, VA 24614			
<b><u>Tract #1B - 1.27 acres</u></b>			
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.27 acres	1.5875%	

**TOTAL UNLEASED O&G ESTATE**  
Acres 14.16  
Percentage 17.7000%

Exhibit E  
Unit X-9  
Prior Docket(s) #VGOB 90-1010-0030 & 93-0420-0351  
Re-Pooling Docket #VGOB 92-1117-0292-02  
List of Owners/Claimants that require escrow

	Acres In Unit	Percent of Unit
<b><u>Tract #1A, 12.89 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	12.89 acres	16.1125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) County of Buchanan Virginia PO Box 1056 Grundy, VA 24614  Notices and Correspondence: County of Buchanan Virginia Attn: Robert Craig Horn - County Administrator PO Box 1056 Grundy, VA 24614	12.89 acres	16.1125%
<b><u>Tract #1B - 1.27 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	1.27 acres	1.5875%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.27 acres	1.5875%
<b><u>Tract #3A, 1.39 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) H-W Financial LLC P.O. Box 11000 Danville, VA 24543-5017	1.39 acres	1.7375%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<b><u>Pending Litigation - Case #875-15 filed by Harrison-Wyatt</u></b>		
(1) Martin Edd Boyd Heirs, et al	1.39 acres	1.7375%
(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	0.32 acres 7/30 of 1.39 acres	0.4054%
(a.1.2) Audrey A. Perkins 1023 Perkins Hill Vansant, VA 24656	0.32 acres 7/30 of 1.39 acres	0.4054%
(a.1.3) Regina B. O'Quinn PO Box 1031 Vansant, VA 24656	0.32 acres 7/30 of 1.39 acres	0.4054%
(b) Clayton Perkins 1023 Perkins Hill Vansant, VA 24656	0.14 acres 1/10 of 1.39 acres	0.1738%
(c) Eva Singleton Heirs, Devisees, Successors, or Assigns		

Exhibit E  
Unit X-9  
Prior Docket(s) #VGOB 90-1010-0030 & 93-0420-0351  
Re-Pooling Docket #VGOB 92-1117-0292-02  
List of Owners/Claimants that require escrow

210001450

	Acres In Unit	Percent of Unit
(c.1) Bernice S. Etter Heirs, Deviseses, Successors, or Assigns <i>(Documentation Pending)</i>	0.07 acres 1/20 of 1.39 acres	0.0869%
(c.2) Lema O. Meadows Heirs, Deviseses, Successors, or Assigns		
(c.2.1) Andy G. Meadows Heirs, Deviseses, Successors, or Assigns		
(c.2.1.1) Judie Deane White 3909 E. Bluegrass Trail Bland, VA 24315	0.02 acres 1/60 of 1.39 acres	0.0290%
(c.2.1.2) Donnie Lee Meadows 17349 Mahogany Drive Abingdon, VA 24210	0.02 acres 1/60 of 1.39 acres	0.0290%
(c.2.1.3) Janice Meadows Stowers 310 Circle Road Bluefield, VA 24805	0.02 acres 1/60 of 1.39 acres	0.0290%
(c.3) Estel Darnel Singleton Heirs, Deviseses, Successors or Assigns		
(c.3.1) Estel D. Singleton, Jr. 4819 Lange Lane Roanoke, VA 24018	0.03 acres 1/40 of 1.39 acres	0.0434%
(c.3.2) James M. Singleton 285 Parker Place Orange, VA 22960	0.03 acres 1/40 of 1.39 acres	0.0434%
(c.4) Vicky Lynn Singleton Cruey 49 Boileau Court Middleton, MD 21769	0.07 acres 1/20 of 1.39 acres	0.0869%
<b>-OR-</b>		
(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	1.39 acres	1.7375%

**Tract #3B, 2.75 Acres**

**COAL OWNERSHIP**

(1) H-W Financial LLC P.O. Box 11000 Danville, VA 24543-5017	2.75 acres	3.4375%
--	------------	---------

**OIL & GAS OWNERSHIP**

***Pending Litigation - Case #875-15 filed by Harrison-Wyatt***

(1) Clayton Perkins, et al	2.75 acres	3.4375%
(a) Clayton & Audrey Perkins, TE 1023 Perkins Hill Vansant, VA 24656	2.200 acres 4/5 of 2.75 acres	2.7500%
(b) Eva Singleton Heirs, Deviseses, Successors, or Assigns		
(b.1) Bernice S. Etter Heirs, Deviseses, Successors, or Assigns <i>(Documentation Pending)</i>	0.14 acres 1/20 of 2.75 acres	0.1719%
(b.2) Lema O. Meadows Heirs, Deviseses, Successors, or Assigns		
(b.2.1) Andy G. Meadows Heirs, Deviseses, Successors, or Assigns		

Exhibit E  
 Unit X-9  
 Prior Docket(s) #VGOB 90-1010-0030 & 93-0420-0351  
 Re-Pooling Docket #VGOB 92-1117-0292-02  
 List of Owners/Claimants that require escrow

	Acres In Unit	Percent of Unit
(b.2.1.1) Judie Deane White 3909 E. Bluegrass Trail Bland, VA 24315	0.05 acres 1/60 of 2.75 acres	0.0573%
(b.2.1.2) Donnie Lee Meadows 17349 Mahogany Drive Abingdon, VA 24210	0.05 acres 1/60 of 2.75 acres	0.0573%
(b.2.1.3) Janice Meadows Stowers 310 Circle Road Bluefield, VA 24605	0.05 acres 1/60 of 2.75 acres	0.0573%
(b.3) Estel Damel Singleton Heirs, Devisees, Successors or Assigns		
(b.3.1) Estel D. Singleton, Jr. 4819 Lange Lane Roanoke, VA 24018	0.07 acres 1/40 of 2.75 acres	0.0859%
(b.3.2) James M. Singleton 285 Parker Place Orange, VA 22960	0.07 acres 1/40 of 2.75 acres	0.0859%
(b.4) Vicky Lynn Singleton Crucey 49 Boileau Court Middleton, MD 21769	0.14 acres 1/20 of 2.75 acres	0.1719%
<b>-OR-</b>		
(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	2.75 acres	3.4375%

Tract #6, 2.74 Acres

*Disbursement from escrow forthcoming*

**COAL OWNERSHIP**

(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543-5017	2.74 acres	3.4250%
---	------------	---------

**OIL & GAS OWNERSHIP**

(1) Harrison-Wyatt LLC P.O. Box 11000 Danville, VA 24543	2.74 acres	3.4250%
--	------------	---------

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

**TOTALS:**

Escrowed Acres	21.0400	
Escrowed Percentage		26.3000%

INSTRUMENT 210001450  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY CIRCUIT COURT ON  
 NOVEMBER 17, 2021 AT 02:00 PM  
 BEVERLY S. TILLER, CLERK  
 RECORDED BY: GGB