



**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds

**JURISDICTION:** Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

**UNIT/WELL NAME:** V15

**TRACT(S):** 2

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-95-0919-0518-03

**APPLICANTS:** Pocahontas Gas LLC on behalf of Elvetta Wood Hawkins

**HEARING DATE AND LOCATION:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

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

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 10/12/1995, Recorded on 10/26/1995, Deed Book/Instrument No. 441, Page 611, County BUCHANAN.
2. Supplemental Order Executed 01/28/1997, Recorded on 02/03/1997, Deed Book/Instrument No. 458, Page 165, County BUCHANAN.
3. Disbursement Order -01 Executed 01/02/2013, Recorded on 01/28/2013, Deed Book/Instrument No. 130000164, County BUCHANAN.
4. Disbursement Order -02 Executed 10/21/2016, Recorded on 11/08/2016, Deed Book/Instrument No. 160002060, County BUCHANAN.

190001396

**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 2 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 2 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 § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

- a. Elvetta Wood Hawkins is the gas claimants Tract(s) 2. As such Elvetta Wood Hawkins is entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That Pocahontas Gas LLC(formerly CNX Gas Company LLC) has previously given the notice(s) required by § 45.1-361.22:2.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 95-0919-0518-02, it dismissed the coal claimant(s) H-W Financial, LLC (Formerly Harrison-Wyatt, LLC) as a Respondent to these proceedings. Accordingly, H-W Financial, LLC (Formerly Harrison-Wyatt, LLC) was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 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. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Elvetta Wood Hawkins and shall not escrow same. See Exhibit EE annexed hereto.



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 § 45.1-361.9 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.

190001396

DONE AND EXECUTED this 19 day of September, 2019 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

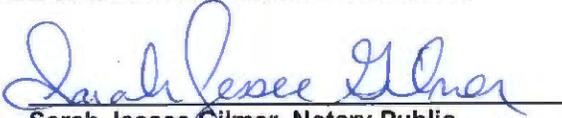
DONE AND PERFORMED this 19 day of September, 2019 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 19th day of September, 2019, 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 the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, 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



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Pocahontas Gas LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 95-0919-0518-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2 (2) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: V15

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 2, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Elvetta Wood Hawkins. (Inactive Unit, royalty currently paying under VP8SGU3).

3. Legal Authority

Va. Code Ann. § 45.1-361.1 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

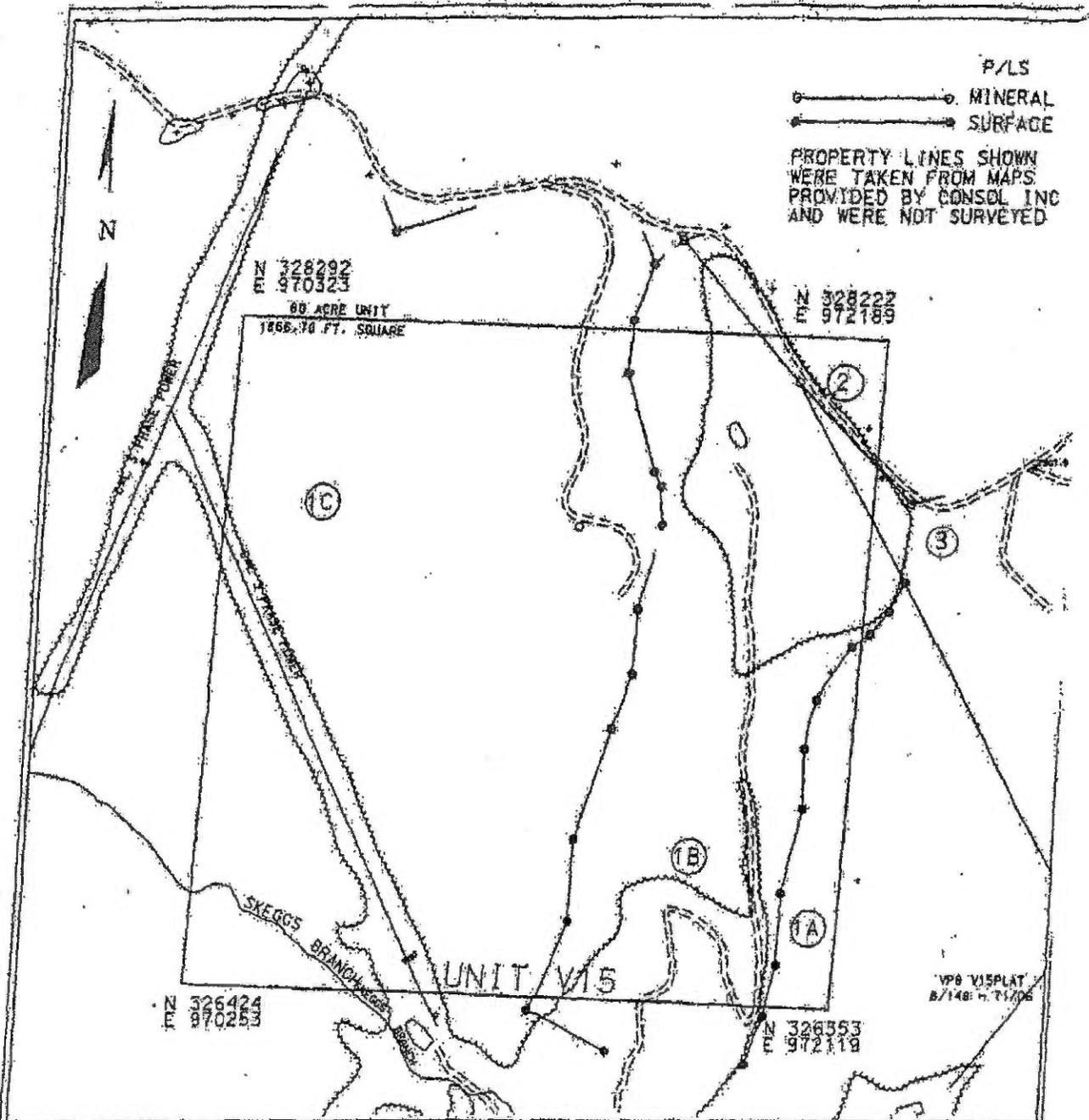
5. Factual basis for relief requested

- a. Elvetta Wood Hawkins is the gas claimants Tract(s) 2. As such Elvetta Wood Hawkins is entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That Pocahontas Gas LLC(formerly CNX Gas Company LLC) has previously given the notice (s) required by § 45.1-361.22:2.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 95-0919-0518-02, it dismissed the coal claimant(s) H-W Financial, LLC (Formerly Harrison-Wyatt, LLC) as a Respondent to these proceedings. Accordingly, H-W Financial, LLC (Formerly Harrison-Wyatt, LLC) was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 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. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Elvetta Wood Hawkins and shall 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.

190001396

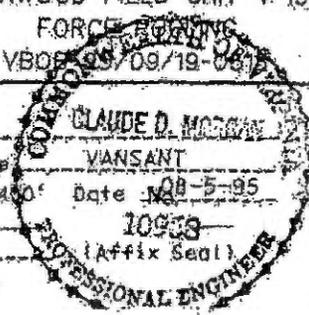


UNIT LOCATION PLAT

EXHIBIT A  
OAKWOOD FIELD UNIT V-15  
FORCE MAINING  
VBOF 05/09/19-06/15

Company: CONSOL INC Well Name and Number \_\_\_\_\_  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle \_\_\_\_\_  
 County: BUCHANAN District: HURRICANE Scale: 1" = 400' Date: 08-5-95

*Claude D. Morgan*  
 Licensed Professional Engineer or Licensed Land Surveyor  
 Page Number 5.



**CONSOL Inc.**  
**Plat Legend**  
**Property & Lease Information**  
**Unit: V-15**

1. Big Axe Tr. 7 - Coal, Oil & Gas  
 Wayles R. Harrison & Landon R. Wyatt, Jr. Trustee  
 NONE OF RECORD - Oil & Gas Lessee  
 Island Creek Coal Company - Coal Lessee  
 Beatrice Pocahontas Company  
 Jewell Smokeless Coal Corporation  
 Buchanan Production Company - CBM Lessee  
 78.055 acres - 97.569%
  - 1A. Elmer Brown - Surface
  - 1B. Tommie Rose - Surface
  - 1C. Buchanan Production Company (W.H. Brown Tract)
  
2. Jessie Childress Heirs - Surface, Oil & Gas  
 Big Axe Tr. 4 - Coal  
 Wayles R. Harrison & Landon R. Wyatt, Jr., Trustees  
 NONE OF RECORD - Oil & Gas Lessee  
 Island Creek Coal Company - Coal Lessee  
 Beatrice Pocahontas Company  
 Jewell Smokeless Coal Corporation  
 Buchanan Production Company - CBM Lessee  
 1.527 acres - 1.909%
  
3. Sammie Harris - Surface  
 Pobst & McGuire Tr. 2 - Coal, Oil & Gas  
 Buchanan Production Company - Oil & Gas Lessee  
 Island Creek Coal Company - Coal Lessee  
 Permac, Inc.  
 Jewell Smokeless Coal Corporation  
 Buchanan Production Company - CBM Lessee  
 0.418 acres - 0.522%

Exhibit E  
Unit V-15  
Docket #VGOB-95-0919-0518-03  
List of Conflicting Owners/Claimants that require escrow

190001396

---

	Net Acres In Unit	Interest in Unit
--	----------------------	---------------------

*Escrowing no longer required*

Exhibit EE  
Unit V-15  
Docket #VGOB-95-0919-0518-03  
List of Conflicting Owners with Royalty Splits/Court Orders/HB2058

190001396

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #2, 1.527 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) H-W Financial, LLC <i>Oxy Tr 19 / Big Axe Tr 4 (91.00 acre tract)</i> P.O. Box 11000 Danville, VA 24543	1.527 acres	1.9088%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Jessie Childress Heirs, et al. <i>(5.00 Acre Tract)</i>	1.527 acres	1.9088%	
(a) Virginia H. Childress	<i>Conveyed to BPC 10/21/94 DB 429/385</i>		
(b) Nellie Fay Couch	<i>Conveyed to BPC 9/27/94 DB 428/429</i>		
(b.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(b.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(c) Eula Childress Hensdill	<i>Conveyed to BPC 10/3/94 DB 428/431</i>		
(c.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(c.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(d) Madeline Childress Tucker	<i>Conveyed to BPC 10/14/94 DB 429/389</i>		
(d.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(d.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(e) Eleanor Hawkins Heirs, Devisees, Successors or Assigns			
(e.1) Robert B. Hawkins, Jr., Heirs, Devisees, Successors or Assigns			
(e.1.1) Elvetta Wood Hawkins 5843 Fairhill Ln Knoxville, TN 37918	0.046 acres 1/33 of 1.527 acres	0.0578%	100.00% HB2058
(e.1.2) Joyce Hawkins Jones 840 Fairview School Rd Blountville, TN 37617	0.046 acres 1/33 of 1.527 acres	0.0578%	<i>n/a</i>
(e.1.3) Charles Hawkins 343 Glasgow Ln Blountville, TN 37617	0.046 acres 1/33 of 1.527 acres	0.0578%	<i>n/a</i>
(f) Wanda Childress Cochran	<i>Conveyed to Virginia H. Childress 10/11/94 DB 429/381</i>		
(f.1) Virginia H. Childress	<i>Conveyed to BPC 10/11/94 DB 429/385</i>		
(f.1.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(f.1.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>

Exhibit EE  
Unit V-15  
Docket #VGOB-95-0919-0518-03  
List of Conflicting Owners with Royalty Splits/Court Orders/HB2058

190001396

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(g) Edith Virginia Presnell	<i>Conveyed to BPC 10/24/94 DB 429/391</i>		
(g.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(g.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(h) Phyllis Everett McKeon 4472 Dike Road Winter Park, FL 32792	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(i) Beatrice Childress Raleigh	<i>Conveyed to BPC 9/29/94 DB 428/433</i>		
(i.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(i.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(j) Carl C. Childress	<i>Conveyed to BPC 9/29/94 DB 428/433</i>		
(j.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(j.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(k) Emory Childress	<i>Conveyed to Virginia H. Childress 10/11/94 DB 429/381</i>		
(k.1) Virginia H. Childress	<i>Conveyed to BPC 10/11/94 DB 429/385</i>		
(k.1.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(k.1.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.139 acres 1/11 of 1.527 acres	0.1735%	<i>n/a</i>
(l) Pinkie Edna Kitts Heirs, Devisees, Successors or Assigns			
(l.1) Verna Taylor	<i>Conveyed to BPC 10/21/94 DB 430/26</i>		
(l.1.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(l.1.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.028 acres 1/55 of 1.527 acres	0.0347%	<i>n/a</i>
(l.2) Nancy Louise Agee 7601 Bull Run Road Manassas, VA 22110	0.028 acres 1/55 of 1.527 acres	0.0347%	<i>n/a</i>
(l.3) Straley D. Kitts	<i>Conveyed to BPC 10/6/94 DB 428/437</i>		
(l.3.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(l.3.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.028 acres 1/55 of 1.527 acres	0.0347%	<i>n/a</i>
(l.4) R. Warren Kitts	<i>Conveyed to BPC 10/6/94 DB 428/435</i>		
(l.4.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		

Exhibit EE  
 Unit V-15  
 Docket #VGOB-95-0919-0518-03  
 List of Conflicting Owners with Royalty Splits/Court Orders/HB2058

190001396

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(I.4.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.028 acres 1/55 of 1.527 acres	0.0347%	<i>n/a</i>
(I.5) George Wendell Kitts	<i>Conveyed to BPC 10/6/94 DB 429/387</i>		
(I.5.1) Buchanan Production Company	<i>Merger with CNX Gas Co LLC 3/31/03 DB 617/576</i>		
(I.5.1.1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 <i>(previously Buchanan Production Company)</i>	0.028 acres 1/55 of 1.527 acres	0.0347%	<i>n/a</i>
	<b>Acreage in Unit</b>	1.5270	
	<b>Percentage of Unit</b>	1.9088%	

INSTRUMENT 190001396  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY CIRCUIT COURT ON  
 SEPTEMBER 30, 2019 AT 01:20 PM  
 BEVERLY S. TILLER, CLERK  
 RECORDED BY: VAH