

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)

**UNIT/WELL NAME:** R51

**TRACT(S):** 3A

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-00-0321-0783-03

**APPLICANTS:** Pocahontas Gas LLC on behalf of Roma L. Matney, Ronald Leon Reed, Willard Leroy Reed

**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 04/27/2000, Recorded on 05/03/2000, Deed Book/Instrument No. 506, Page 781, County BUCHANAN.
2. Supplemental Order Executed 06/26/2000, Recorded on 07/05/2000, Deed Book/Instrument No. 509, Page 612, County BUCHANAN.
3. Disbursement Order -01 Executed 06/09/2016, Recorded on 06/21/2016, Deed Book/Instrument No. 160001083, County BUCHANAN.
4. Disbursement Order -02 Executed 10/11/2022, Recorded on 10/27/2022, Deed Book/Instrument No. 220001261, County BUCHANAN.

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**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3A identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3A 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. Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed are the gas claimant in Tract(s) 3A. As such Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed are 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 00-0321-0783-01, it dismissed the coal claimant(s) Pocahontas Resources LLC as a Respondent to these proceedings. Accordingly, Pocahontas Resources 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 Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed and 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 and 2.
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.

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DONE AND EXECUTED this 8 day of May, 2023 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Donald L. Ratliff

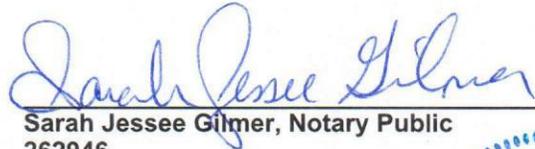
DONE AND PERFORMED this 8 day of May, 2023 by Order of the Virginia Gas and Oil Board.



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

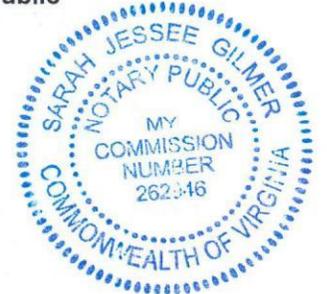
COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 8<sup>th</sup> day of May, 2023, 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, 2025



**BEFORE THE VIRGINIA GAS AND OIL BOARD****PETITIONER:** Pocahontas Gas LLC**GAS AND OIL PROGRAM****DOCKET NO:** VGOB 00-0321-0783-03**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3A (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:** R51**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 a portion of Tract 3A, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed.

**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. Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed are the gas claimant in Tract(s) 3A. As such Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed are 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 00-0321-0783-01, it dismissed the coal claimant(s) Pocahontas Resources LLC as a Respondent to these proceedings. Accordingly, Pocahontas Resources 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 Roma L. Matney, Willard Leroy Reed, and Ronald Leon Reed 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.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CONSOL Inc. AND WERE NOT SURVEYED.

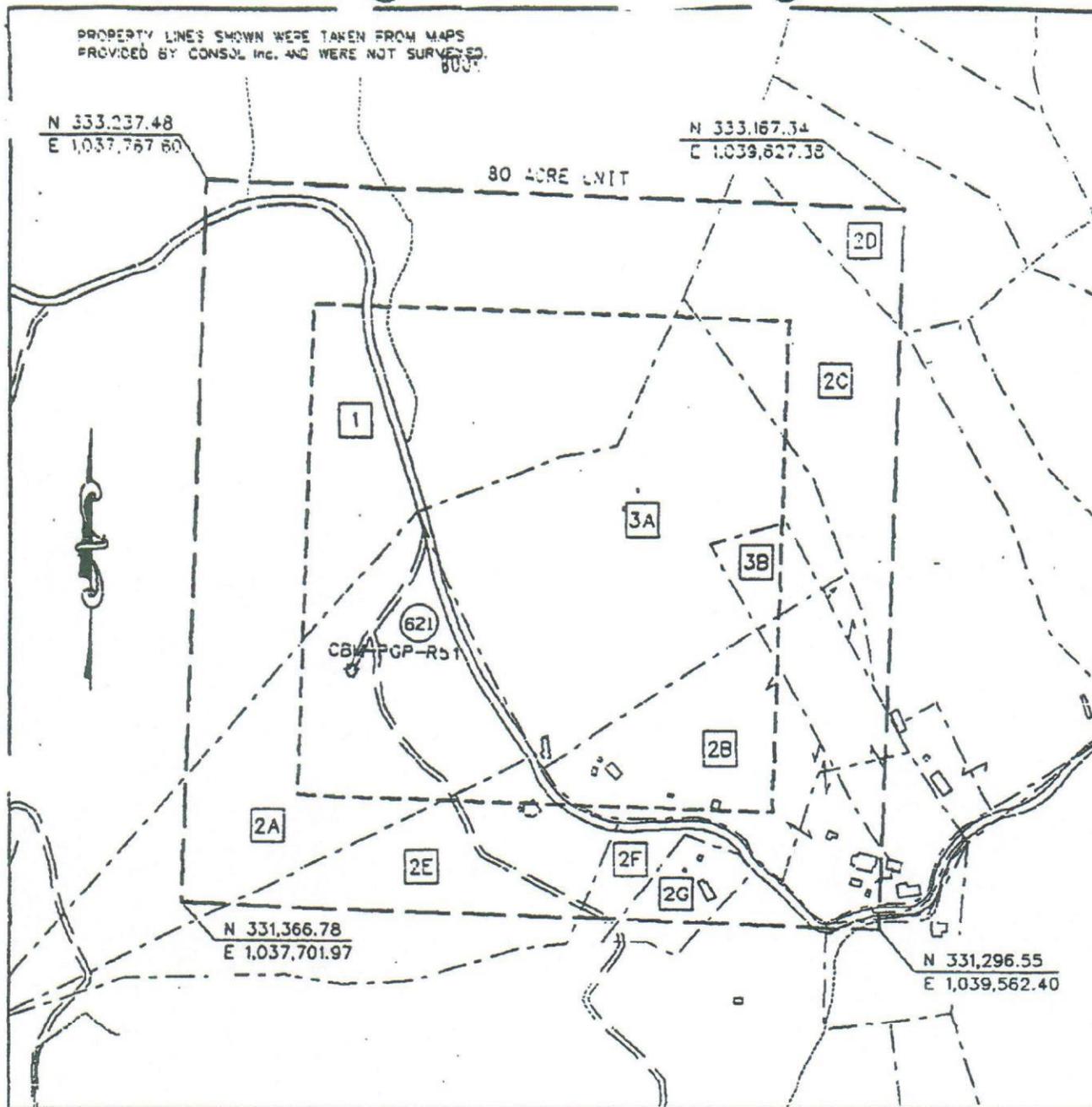


EXHIBIT A  
OAKWOOD FIELD UNIT R-51  
FORCE POOLING  
VG08-00-0321-0783

Company Pocahontas Gas Partnership Well Name and Number UNIT R51  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Jewell Ridge  
 County Buchanan District Garden Scale: 1" = 400' Date 2/09/00  
 This plat is a new plat  ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form D60-60-7 \_\_\_\_\_ (Affix Seal)  
 Rev. 9/91 Charles D. May  
 Licensed Professional Engineer or Licensed Land Surveyor



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Exhibit E  
Unit R-51  
Docket #VGOB-00-0321-0783-03  
List of Respondents that require escrow

Net Acres in Unit	Interest in Unit
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*Escrowing no longer required*

Exhibit EE  
Unit R-51  
Docket #VGOB-00-0321-0783-03  
List of Respondents with Royalty Splits/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b>Tract #3A, 14.44 acres</b>			
<b>COAL FEE OWNERSHIP</b>			
(1) Pocahontas Mining Company Tr. 21 Limited Partnership, L.L.P. P. O. Box 1339 Bluefield, WV 24701	14.44 acres	18.0500%	<i>n/a</i>
<b>OIL &amp; GAS FEE OWNERSHIP</b>			
<i>Tract previously escrowed as a title conflict in error, there is no conflict and escrowed funds can be released</i>			
(1) Roma L. Matney, et al	14.44 acres	18.0500%	
<i>By deed dated 6/20/2005, DB 620/662, Willard Reed, Geraldine Reed, and Leshia Matney conveyed unto Roma Lynn Matney, reserving a life estate to Willard and Geraldine Reed**</i>			
(a) Roma Matney 721 Smith Ridge Rd Jewell Ridge, VA 24622	7.22 acres 1/2 of 14.44 acres	9.0250%	<i>n/a</i>
(b) Roma Matney 721 Smith Ridge Rd Jewell Ridge, VA 24622	3.61 acres 1/4 of 14.44 acres	4.5125%	<b>50.0000%</b> <b>HB2058</b>
(c) Roma Matney 721 Smith Ridge Rd Jewell Ridge, VA 24622	3.61 acres 1/4 of 14.44 acres	4.5125%	<b>50.0000%</b> <b>HB2058</b>
<i>** Herman Willard Reed DOD 8/31/2009, Edna Geraldine Reed DOD 2/10/2012. Life Estate extinguished. The heirs of Herman Willard Reed and Edna Geraldine Reed are due a one time payment from escrow for funds accumulated up to the date of the death of Edna Geraldine Reed when the Life Estates were extinguished. Prior owners will be paid as W-9 forms are received and current owner will be placed on direct pay for each fractional interest until 100% payout of prior owners is complete.</i>			
<i>**Prior owners listed below will receive a one time payment from escrow</i>			
(1) Herman Willard and Edna Geraldine Reed Heirs, Devisees, Successors or Assigns			
(a) Leshia M. Matney 18277 Fortunes Way Abingdon, VA 24210	3.61 acres 1/4 of 14.44 acres	4.5125%	PAID
(b) Willard Leroy Reed 4655 Benson Hardee Road Benson, NC 27504	3.61 acres 1/4 of 14.44 acres	4.5125%	See Table 1
(c) Ronald Leon Reed 9071 Brown Mountain Road Jewell Ridge, VA 24622	3.61 acres 1/4 of 14.44 acres	4.5125%	See Table 1
(d) Leonard Keith Reed 253 Mountain View Road Cedar Bluff, VA 24609	3.61 acres 1/4 of 14.44 acres	4.5125%	PAID
	Total Tract Acres 14.44		
	Total Tract Percentage 18.0500%		

**Tract #3B, 1.06 acres****COAL FEE OWNERSHIP**

(1) Pocahontas Resources LLC Tr. 21 P. O. Box 1837 Abingdon, VA 24212	1.06 acres	1.32500%	<i>n/a</i>
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Exhibit EE  
Unit R-51  
Docket #VGOB-00-0321-0783-03  
List of Respondents with Royalty Splits/Court Orders/HB2058

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	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b>OIL &amp; GAS FEE OWNERSHIP</b>			
(1) Ronald & Joyce Reed, TE 9071 Brown Mountain Road Jewell Ridge, VA 24622	1.06 acres	1.32500%	n/a

Total Acres Resolved 15.50  
Total Percentage Resolved 19.3750%

INSTRUMENT 230000630  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY CIRCUIT COURT ON  
MAY 23, 2023 AT 11:51 AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: CXE