

21-489

210000114

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 02-0716-1041-02

ELECTIONS: UNIT CC-36 (Wells CC36, CC36A)
(herein Subject Drilling Unit)

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 October 20, 2020 which was recorded at Instrument 200001256 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on November 9, 2020, and at Instrument 200003312 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on December 7, 2020 (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 CC-36

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.

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.

210000114

DONE AND EXECUTED this 26 day of January, 2021 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Donald L. Ratliff

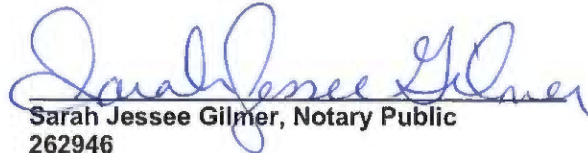
DONE AND PERFORMED this 26 day of January, 2021 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 26th day of January, 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 Re-Pooling of Interests in Unit CC-36
VGOB 02-0716-1041-02 in the Garden/Maiden Springs District(s) of Buchanan/Tazewell County(ies), 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 October 20, 2020, 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 Lebanon, 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 November 9, 2020 and December 7, 2020;

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:

None

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 October 20, 2020;

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:

None

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.

N/A

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 21st day of January, 2021.

Sherri R. Scott

Sherri R. Scott

STATE OF VIRGINIA
COUNTY OF TAZEWELL

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

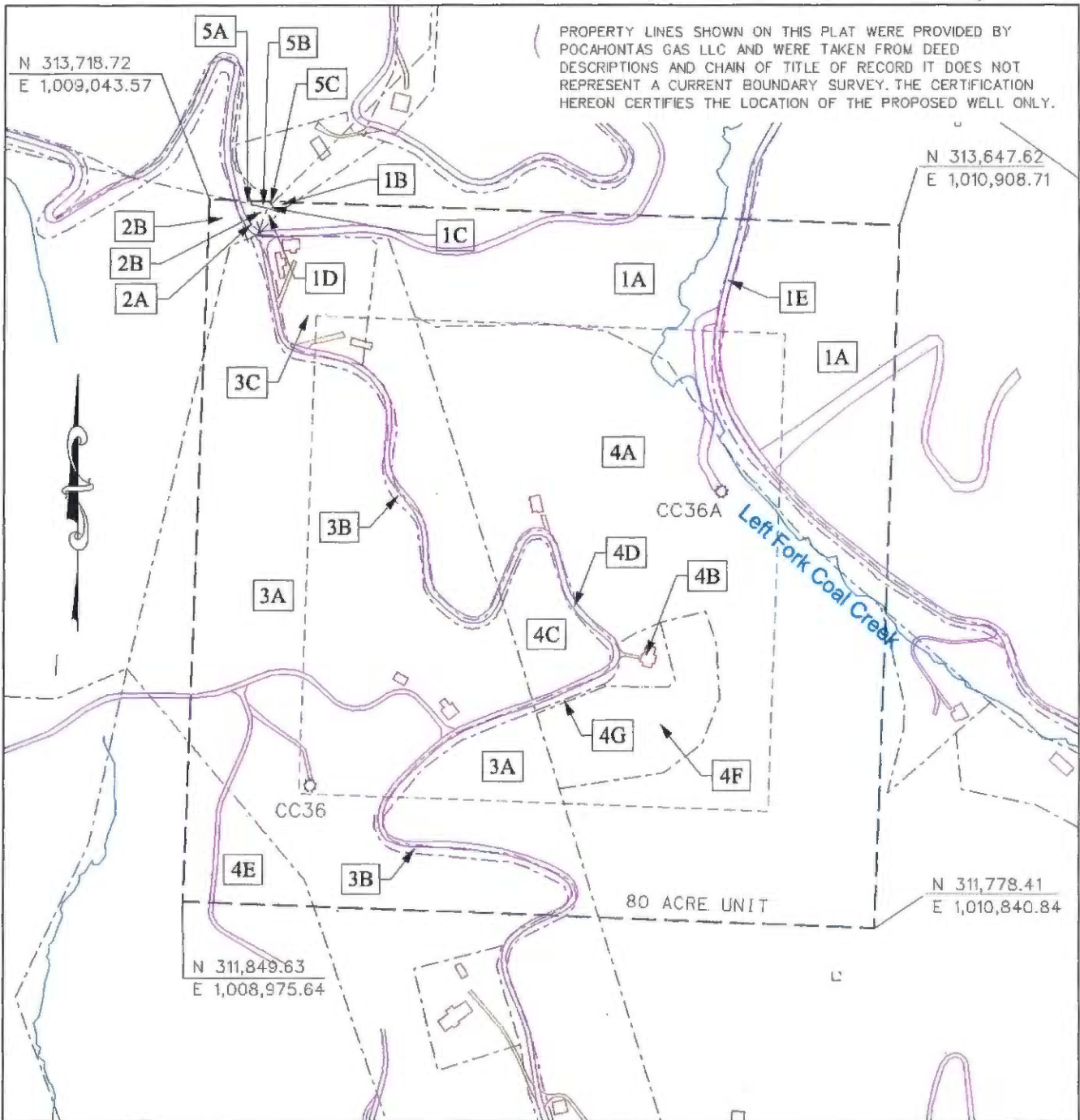
on behalf of the corporate Designated Operator, this 21 day of January, 2021.

Steve Blevins
Notary

My commission expires: August 31, 2024.

Blevins
SB

24



CBM WELL
 PROPOSED CBM WELL

EXHIBIT A
 OAKWOOD FIELD
 UNIT CC36
 FORCE POOLING
 VGOB-02-0716-1041-02

Company POCAHONTAS GAS LLC Well Name and Number UNIT CC36
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Buchanan/Tazewell District Garden Mills Springs Scale: 1" = 400' Date _____
 This plat is a new plat _____ or a final plat _____
 Form DGO-GO-7 _____
 Rev. 9/91 _____



Digitally signed by
ALLEN MITCHELL
 Date: 2020.09.24
 08:07:39 -04'00'

Pocahontas Gas LLC
UNIT CC36
Tract Identifications

1. Commonwealth Coal Corporation (1497.625 Acre Tract) – Minerals
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in Tiller and Above Leased
 Pocahontas Gas LLC – Oil, Gas and CBM
 (Map 84A, Parcel 122A)
 16.32 Acres 20.4000%

- 1A. Commonwealth Coal Corporation – Surface
- 1B. Unknown Surface Owner
- 1C. Unknown Surface Owner
- 1D. Unknown Surface Owner
- 1E. Commonwealth of Virginia - Surface

2. Coal Mountain Mining Company, LLP (160 Acres Tract 34) – Minerals
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 Pocahontas Gas LLC – Oil, Gas, and CBM Leased
 0.56 Acres 0.7000%

- 2A. Commonwealth of Virginia (SR 618) – Surface
- 2B. CNX Gas Company LLC, et al (GW McGlothlin 56 Acre tract) - Surface

- 3A. Coal Mountain Mining Company, LLP (40 Acres Tract 37) – Coal
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 CNX Gas Company LLC, et al (GW McGlothlin 37 Acre Tract)– Surface, Oil, and Gas (98.5119% Owned)
 (Map 63A, Parcel 3)
 27.63 Acres 34.5375%

- 3B. Coal Mountain Mining Company, LLP (40 Acres Tract 37) – Coal
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 Commonwealth of Virginia (SR 618) – Surface, Oil, and Gas
 (Map 63A, Parcel 0)
 1.38 Acres 1.7250%

(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 CC36
Tract Identifications

- 3C. Coal Mountain Mining Company, LLP (40 Acres Tract 37) – Coal
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 Jimmy Lee McGlothlin – Surface, Oil, and Gas
 (Map 63A, Parcel 2)
 1.84 Acres 2.3000%
4. Coal Mountain Mining Company, LLP (319 Acres Tract 38) – Minerals
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 Pocahontas Gas LLC – Oil, Gas, and CBM Leased
 (Map 63A, Parcel 5)
 32.24 Acres 40.3000%
- 4A. CNX Gas Company LLC (James Absher Tract) – Surface
 4B. Unknown Surface Owner
 4C. Unknown Surface Owner
 4D. Commonwealth of Virginia (SR 618) – Surface
 4E. Harold McGlothlin, et al – Surface
 4F. Unknown Surface Owner
 4G. Unknown Surface Owner
5. Coal Mountain Mining Company, LLP (122 Acres Tract 33) – Minerals
 Buchanan Mining Company LLC – Below Drainage Coal Leased
 RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
 0.03 Acres 0.0375%
- 5A. Unknown Surface Owner
 5B. Unknown Surface Owner
 5C. Unknown Surface Owner

(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 CC-36
VGOB Docket # 02-0716-1041-02
List of All Unleased Owners/Claimants
(80.00 Acre Unit)

210000114

	Net Acres In Unit	Interest in Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #3A - 27.63 acres</u>		
(1) CNX Gas Company, LLC, et al <i>(37.00 Acre Tract)</i>	27.63 acres	34.5375%
(b) Ruie McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1) Junior C. McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1.1) Janet E. McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1.1.1) Johnny Dwight McGlothlin 820 Baptist Valley Road Cedar Bluff, VA 24609	0.0411 acres 1/672 of 27.63 acres	0.05140%
(b.2) Helen Adams Heirs, Devisees, Successors, or Assigns <i>(Documentation Pending)</i>	0.1233 acres 1/224 of 27.63 acres	0.15419%
(b.2.1) Bernie Gene Adams 14309 Phoenix Road Phoenix, MD 21131		
(b.2.2) Michael Adams 595 S Sandlake Ct Mount Dora, FL 32757		
(b.3) Ruby Lee Zwald Heirs, Devisees, Successors, or Assigns		
(b.4.1) Walter Lawrence Finney Heirs, Devisees, Successors, or Assigns		
(b.4.1.1) Shelby Ann Finney 195 Finney Drive Cedar Bluff, VA 24609	0.1233 acres 1/224 of 27.63 acres	0.15419%
(b.4) Mary R. Barnett 170 Charleston Place Daleville, VA 24083	0.1233 acres 1/224 of 27.63 acres	0.15419%
Total Acres	0.4112	
Total Percentage	0.5140%	
<u>Tract #3B - 1.38 acres</u>		
(1) Commonwealth of Virginia Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.38 acres	1.7250%

Exhibit B-3
 Unit CC-36
 VGOB Docket # 02-0716-1041-02
 List of All Unleased Owners/Claimants
 (80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit
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Tract #3C - 1.84 acres

(1) C.A. and Gerdean McGlothlin

By deed dated November 19, 2010, C.A. McGlothlin and Geraldine (Gerdean) McGlothlin conveyed all RTI to Jimmy Lee McGlothlin, reserving a life estate

*C.A. McGlothlin - Deceased 6/22/2012
 Gerdean McGlothlin - Deceased 1/13/2019*

(a) Jimmy Lee McGlothlin		
P.O. Box 987	1.84 acres	2.3000%
Raven, VA 24639		

TOTAL UNLEASED:

Acreage in Unit	3.63	
Percentage of Unit		4.5390%

Exhibit E
Unit CC-36
VGOB Docket # 02-0716-1041-02
List of Owners/Claimants that Require Escrow
(80.00 Acre Unit)

210000114

	Net Acres in Unit	Interest in Unit
<u>Tract #3B - 1.38 acres</u>		
<i>Previously identified as a Title Conflict - no conflict exists - disbursement from escrow forthcoming</i>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, LLP <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.38 acres	1.7250%
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Virginia Department of Transportation 870 Bonham Rd Bristol, VA 24201	1.38 acres	1.7250%
<u>TOTAL:</u>		
Acreage in Unit	1.38	
Percentage of Unit		1.7250%

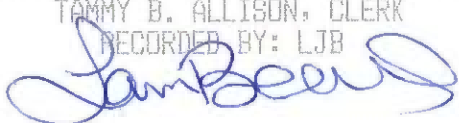
Exhibit EE
Unit CC-36
VGOB Docket # 02-0716-1041-02
List of Respondents with Royalty Division Agreement/Court Order/HB2058
(80.00 Acre Unit)

210000114

	Net Acres in Unit	Interest in Unit
<u>Tract #3A - 27.63 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, LLP <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	27.63 acres	34.5375%
<u>OIL & GAS OWNERSHIP</u>		
(1) CNX Gas Company, LLC, et al	27.63 acres	34.5375%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	27.2188 acres 331/336 of 27.63 acres	34.0235%
(b) Ruie McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1) Junior C. McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1.1) Janet E. McGlothlin Heirs, Devisees, Successors, or Assigns		
(b.1.1.1) Johnny Dwight McGlothlin 820 Baptist Valley Road Cedar Bluff, VA 24609	0.0411 acres 1/672 of 27.63 acres	0.0514%
(b.2) Helen Adams Heirs, Devisees, Successors, or Assigns <i>(Documentation requested)</i>	0.1233 acres 1/224 of 27.63 acres	0.1542%
(b.2.1) Bernie Gene Adams 14309 Phoenix Road Phoenix, MD 21131		
(b.2.2) Michael Adams 595 S Sandlake Ct Mount Dora, FL 32757		
(b.3) Ruby Lee Zwald Heirs, Devisees, Successors, or Assigns		
(b.4.1) Walter Lawrence Finney Heirs, Devisees, Successors, or Assigns		
(b.4.1.1) Shelby Ann Finney 195 Finney Drive Cedar Bluff, VA 24609	0.1233 acres 1/224 of 27.63 acres	0.1542%
(b.4) Mary R. Barnett 170 Charleston Place Daleville, VA 24083	0.1233 acres 1/224 of 27.63 acres	0.1542%
Total Acres	27.6300	
Total Percentage	34.5375%	

Exhibit EE
Unit CC-36
VGOB Docket # 02-0716-1041-02
List of Respondents with Royalty Division Agreement/Court Order/HB2058
(80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit
Tract #3C - 1.84 acres		
COAL OWNERSHIP		
(1) Coal Mountain Mining Company, LLP <i>Tract 37 (40.00 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.84 acres	2.3000%
OIL & GAS OWNERSHIP		
(1) C.A. and Gerdean McGlothlin <i>By deed dated November 19, 2010, C.A. McGlothlin and Geraldine (Gerdean) McGlothlin conveyed all RTI to Jimmy Lee McGlothlin, reserving a life estate</i> <i>C.A. McGlothlin - Deceased 6/22/2012</i> <i>Gerdean McGlothlin - Deceased 1/13/2019</i>		
(a) Jimmy Lee McGlothlin P.O. Box 987 Raven, VA 24639	1.84 acres	2.3000%
TOTAL:		
Acreage in Unit	29.47	
Percentage of Unit		36.8375%

INSTRUMENT 210000489
RECORDED IN THE CLERK'S OFFICE, OF
TAZEWELL COUNTY CIRCUIT COURT ON
FEBRUARY 16, 2021 AT 01:24 PM
TAMMY B. ALLISON, CLERK
RECORDED BY: LJB


INSTRUMENT 210000114
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
FEBRUARY 3, 2021 AT 04:37 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB