



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 § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

UNITWELL NAME: DD36

TRACT(S): 3C

LOCATION: TAZEWELL, RUSSELL County, Virginia

TAX ID NUMBERS: Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract Identification Sheet

DOCKET NUMBER: VGOB-02-0917-1073-03

APPLICANTS: Pocahontas Gas LLC on behalf of Commonwealth of VA Department of Transportation

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 07/11/2003, Recorded on 07/14/2003, Deed Book/Instrument No. 587, Page 252, County RUSSELL.
- 2. Original Pooling Order Executed 07/11/2003, Recorded on 07/14/2003, Deed Book/Instrument No. 883, Page 755, County TAZEWELL.
- 3. Supplemental Order Executed 11/07/2003, Recorded on 11/17/2003, Deed Book/Instrument No. 596, Page 927, County RUSSELL.

4. Supplemental Order Executed 11/07/2003, Recorded on 11/17/2003, Deed Book/Instrument No. 895, Page 328, County TAZEWELL.
5. Disbursement Order -01 Executed 12/21/2016, Recorded on 12/22/2016, Deed Book/Instrument No. 0812, Page 0689, County RUSSELL.
6. Disbursement Order -01 Executed 12/21/2016, Recorded on 12/27/2016, Deed Book/Instrument No. 2016, Page 2032, County TAZEWELL.
7. Modification Order -02 Executed 10/26/2020, Recorded on 11/23/2020, Deed Book/Instrument No. 878, Page 0638, County RUSSELL.
8. Modification Order -02 Executed 10/26/2020, Recorded on 12/07/2020, Deed Book/Instrument No. 200003314, County TAZEWELL.
9. Supplemental Order -02 Executed 01/26/2021, Recorded on 02/16/2021, Deed Book/Instrument No. 210000490, County TAZEWELL.
10. Supplemental Order -02 Executed 01/26/2021, Recorded on 02/25/2021, Deed Book/Instrument No. 882, Page 0743, County RUSSELL.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3C 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. Commonwealth of VA Dept of Transportation is the gas claimant in Tract(s) 3C. As such Commonwealth of VA Dept of Transportation is entitled to 100% of the CBM royalties 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 given the notice(s) required by § 45.1-361.22:2.A to all conflicting 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 02-0917-1073-01, it dismissed the coal claimant(s) Coal Mountain Mining Company as a Respondent to these proceedings. Accordingly Coal Mountain Mining Company 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 Commonwealth of VA Dept of Transportation 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.
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.

DONE AND EXECUTED this 9 day of March, 2021 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

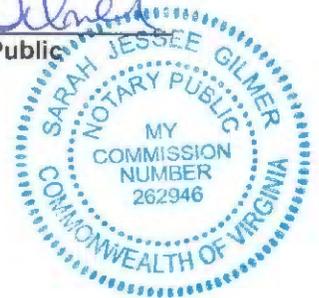
DONE AND PERFORMED this 9 day of March, 2021 by Order of the Virginia Gas and Oil Board.

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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 9th day of March, 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 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, 2021

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Pocahontas Gas LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 02-0917-1073-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3C (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) 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: DD36

TAZEWELL, RUSSELL 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(s) attributable to Tract(s) 3C as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Commonwealth of VA Dept of Transportation.

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. Commonwealth of VA Dept of Transportation is the gas claimant in Tract(s) 3C. As such Commonwealth of VA Dept of Transportation is entitled to 100% of the CBM royalties 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 given the notice(s) required by § 45.1-361.22:2.A to all conflicting 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 02-0917-1073-01, it dismissed the coal claimant(s) Coal Mountain Mining Company as a Respondent to these proceedings. Accordingly Coal Mountain Mining Company 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 Commonwealth of VA Dept of Transportation and not escrow same. See Exhibit EE annexed hereto

6. Attestation

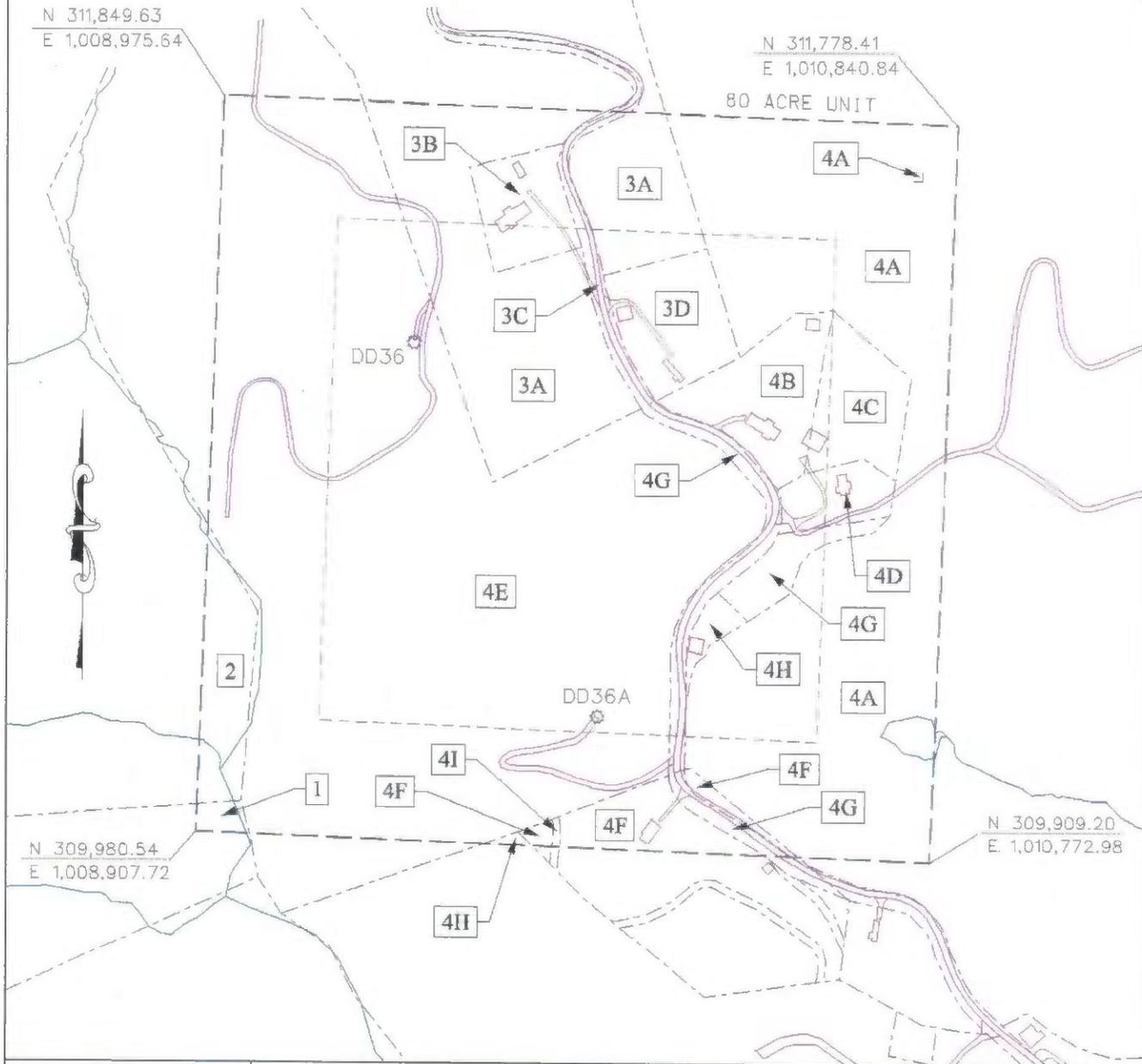
The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

PROPERTY LINES SHOWN 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 311,849.63
E 1,008,975.64

N 311,778.41
E 1,010,840.84

80 ACRE UNIT

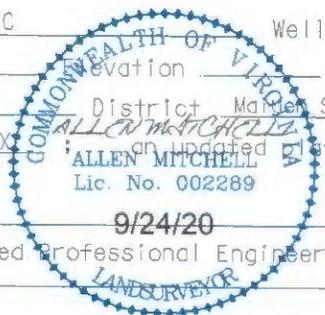


- ⊙ CBM WELL
- ⊗ PROPOSED CBM WELL

EXHIBIT A
OAKWOOD FIELD
UNIT DD36
FORCE POOLING
VGOB-02-0917-1073-02

Company POCAHONTAS GAS LLC Well Name and Number UNIT DD36
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain Date _____
 County Tazewell/Russell District Marion Springs/New Garden

This plat is a new plat or an updated plat or a final plat
 Form DGO-GO-7 _____
 Rev. 9/91 _____



Digitally signed by
ALLEN MITCHELL
Date: 2020.09.24
08:31:08 -04'00'

**Pocahontas Gas LLC
UNIT DD36
Tract Identifications**

1. William Rogers McCall – Fee
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Pocahontas Gas LLC – CBM Leased
0.19 Acres 0.2375%

2. Coal Mountain Mining Company, LLP (160 Acres Tract 36) – Coal
Buchanan Mining Company LLC – Below Drainage Coal Leased
RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased
CNX Gas Company, et al (GW McGlothlin 47.90 Acre Tract) – Surface, Oil, and Gas (98.5119% Owned)
1.89 Acres 2.3625%

- 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)
9.50 Acres 11.8750%

- 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
Robin Foy – Surface, Oil, and Gas
(Map 63A, Parcel 4)
1.37 Acres 1.7125%

- 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
Commonwealth of Virginia (SR 618) – Surface, Oil, and Gas
(Map 63A, Not Assessed)
0.62 Acres 0.7750%

- 3D. 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 3A)
1.92 Acres 2.4000%

(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 DD36
Tract Identifications

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)
64.51 Acres 80.6375%
- 4A. CNX Gas Company LLC (James Absher Tract) – Surface
4B. Unknown Surface Owner
4C. Unknown Surface Owner
4D. Unknown Surface Owner
4E. Harold McGlothlin, et al – Surface
4F. Unknown Surface Owner
4G. Commonwealth of Virginia (SR 618) - Surface
4H. Unknown Surface Owner
4I. 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 E
Unit DD-36
Docket #VGOB 02-0917-1073-03
List of Respondents that require escrow

BOOK 884 PAGE 0483

Net Acres
in Unit

Interest in
Unit

Escrowing no longer required

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2, 1.89 acres</u>			
COAL OWNERSHIP			
(1) Coal Mountain Mining Company, LLP <i>Tract 36 (160 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.89 acres	2.3625%	<i>n/a</i>
OIL & GAS OWNERSHIP			
<u>Tract #2, 1.89 acres</u>			
(1) CNX Gas Company, LLC, et al <i>(47.90 Acre Tract)</i>	1.89 acres	2.3625%	
(a) Pocahontas Gas LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.8619 acres 331/336 of 1.89 acres	2.3273%	<i>n/a</i>
(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	0.0028 acres 1/672 of 1.89 acres	0.00352%	<i>n/a</i>
(b.2) Helen Adams Heirs, Devisees, Successors, or Assigns <i>(Documentation Pending)</i>	0.0084 acres 1/224 of 1.89 acres	0.01055%	<i>n/a</i>
(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	0.0084 acres 1/224 of 1.89 acres	0.01055%	<i>n/a</i>
(b.4) Mary R. Barnett 170 Charleston Place Daleville, VA 24083	0.0084 acres 1/224 of 1.89 acres	0.01055%	<i>n/a</i>
Total Tract Acres	1.8900		
Total Tract Percentage	2.3625%		

Tract #3A, 9.50 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, LLP <i>Tract 37 (40 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	9.50 acres	11.8750%	<i>n/a</i>
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Exhibit EE
Unit DD-36
Docket #VGOB 02-0917-1073-03
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company, LLC, et al <i>(37.00 Acre Tract)</i>	9.50 acres	11.8750%	
(a) Pocahontas Gas LLC 1000 Consol Energy Drive Canonsburg, PA 15317	9.3586 acres 331/336 of 9.50 acres	11.6983%	<i>n/a</i>
(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	0.0141 acres 1/672 of 9.50 acres	0.01767%	<i>n/a</i>
(b.2) Helen Adams Heirs, Devisees, Successors, or Assigns <i>(Documentation Pending)</i>	0.0424 acres 1/224 of 9.50 acres	0.05301%	<i>n/a</i>
(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	0.0424 acres 1/224 of 9.50 acres	0.05301%	<i>n/a</i>
(b.4) Mary R. Barnett 170 Charleston Place Daleville, VA 24083	0.0424 acres 1/224 of 9.50 acres	0.05301%	<i>n/a</i>
Total Tract Acres	9.5000		
Total Tract Percentage	11.8750%		

Tract #3B, 1.37 acres**COAL OWNERSHIP**

(1) Coal Mountain Mining Company, LLP <i>Tract 37 (40 Acre Tract)</i> P.O. Box 675 Tazewell, VA 24651	1.37 acres	1.7125%	<i>n/a</i>
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OIL & GAS OWNERSHIP

(1) Robin Lynn Foy 262 Harbor St Pounding Mill, VA 24637 <i>(previously Walker E. Fuller, et ux - conveyed by deed dated 6/28/04 DB914/PG194 and 8/9/16 DB2016/PG2403)</i>	1.37 acres	1.7125%	<i>n/a</i>
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Tract #3C, 0.62 acres**COAL OWNERSHIP**

Exhibit EE
 Unit DD-36
 Docket #VGOB 02-0917-1073-03
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(1) Coal Mountain Mining Company, LLP Tract 37 (40 Acre Tract) P.O. Box 675 Tazewell, VA 24651	0.62 acres	0.7750%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	0.62 acres	0.7750%	100.00% HB2058

TOTAL CONFLICTS RESOLVED:

Acres in Unit: 13.3800
 Percentage in Unit: 16.7250%

2100665

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 3-22, 2021. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:48 o'clock P M, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: DMME

TESTE: ANN S. McREYNOLDS, CLERK
 BY: Jennifer Kendrick D. CLERK

INSTRUMENT 210001112
 RECORDED IN THE CLERK'S OFFICE OF
 TAZEWELL COUNTY CIRCUIT COURT ON
 APRIL 12, 2021 AT 02:25 PM
 TAMMY B. ALLISON, CLERK
 RECORDED BY: CGH

Crystal Heigener