

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26**

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

UNIT/WELL NAME: AV118

TRACT(S): 6

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-03-0415-1136-02

APPLICANTS:

Pocahontas Gas LLC on behalf of Unknown Heirs of Earnest J. Hensley c/o Department of
Treasury

HEARING DATE AND LOCATION:

On November 19, 2019, the Virginia Gas and Oil Board, on its own motion,
granted the Director of the Division of Gas and Oil the authority to process
previously identified unknown/unlocatable royalty owner(s) disbursements that
have no pending deficiencies or issues. All future royalty payments will be
paid directly from the operator to the Department of Treasury and/or the
rightful identified owner. Effective date: November 19, 2019.

FUTURE INQUIRIES/CLAIMS:

Funds for unknown/unlocatable owners in this order are being sent to the
Department of Treasury under the provisions of Title 55.1, Section 55.1-2500-2545
of the Virginia Disposition of Unclaimed Property Act. To make a claim regarding
these funds, please contact the Department of Treasury, Unclaimed Property
Division, P. O. Box 2485, Richmond, Virginia 23218-2478. Phone: 1-800-468-1088.
E-Mail: UCPmail@trs.virginia.gov

APPEARANCES:

Mark A. Swartz on behalf of Pocahontas Gas LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 05/12/2003, Recorded on 05/29/2003, Deed Book/Instrument No.
583, Page 389, County RUSSELL.

2. Supplemental Order Executed 11/07/2003, Recorded on 11/17/2003, Deed Book/Instrument No. 586, Page 936, 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) 6 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 6 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. Demand of the Department of the Treasury, Unclaimed Property Division made by letter dated October 3, 2019, as amended.
- b. Notice of the Disbursement Petition was provided by publication on March 12, 2020 in the Virginia Mountaineer.
- c. See Exhibit T annexed hereto and incorporated herein by reference.

- 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.

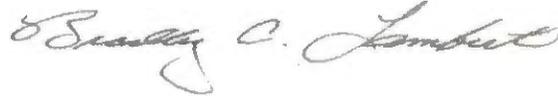
CONCLUSION:

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 14 day of April, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

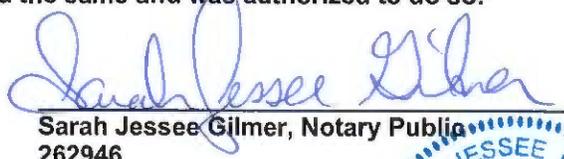
DONE AND PERFORMED this 14 day of April, 2020 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of April, 2020, 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 03-0415-1136-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 6 (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 November 19, 2019, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process previously identified unknown/unlocatable royalty owner(s) disbursements that have no pending deficiencies or issues. All future royalty payments will be paid directly from the operator to the Department of Treasury and/or the rightful identified owner. Effective date: November 19, 2019.

FUTURE INQUIRIES/CLAIMS: Funds for unknown/unlocatable owners in this order are being sent to the Department of Treasury under the provisions of Title 55.1, Section 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act. To make a claim regarding these funds, please contact the Department of Treasury, Unclaimed Property Division, P. O. Box 2485, Richmond, Virginia 23218-2478. Phone: 1-800-468-1088. E-Mail: UCPmail@trs.virginia.gov

DRILLING UNIT: AV118

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) disbursement of funds held in escrow for unknown/unlocatable owners to the Department of Treasury, under the provisions of Title 55.1, §§55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act.

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)

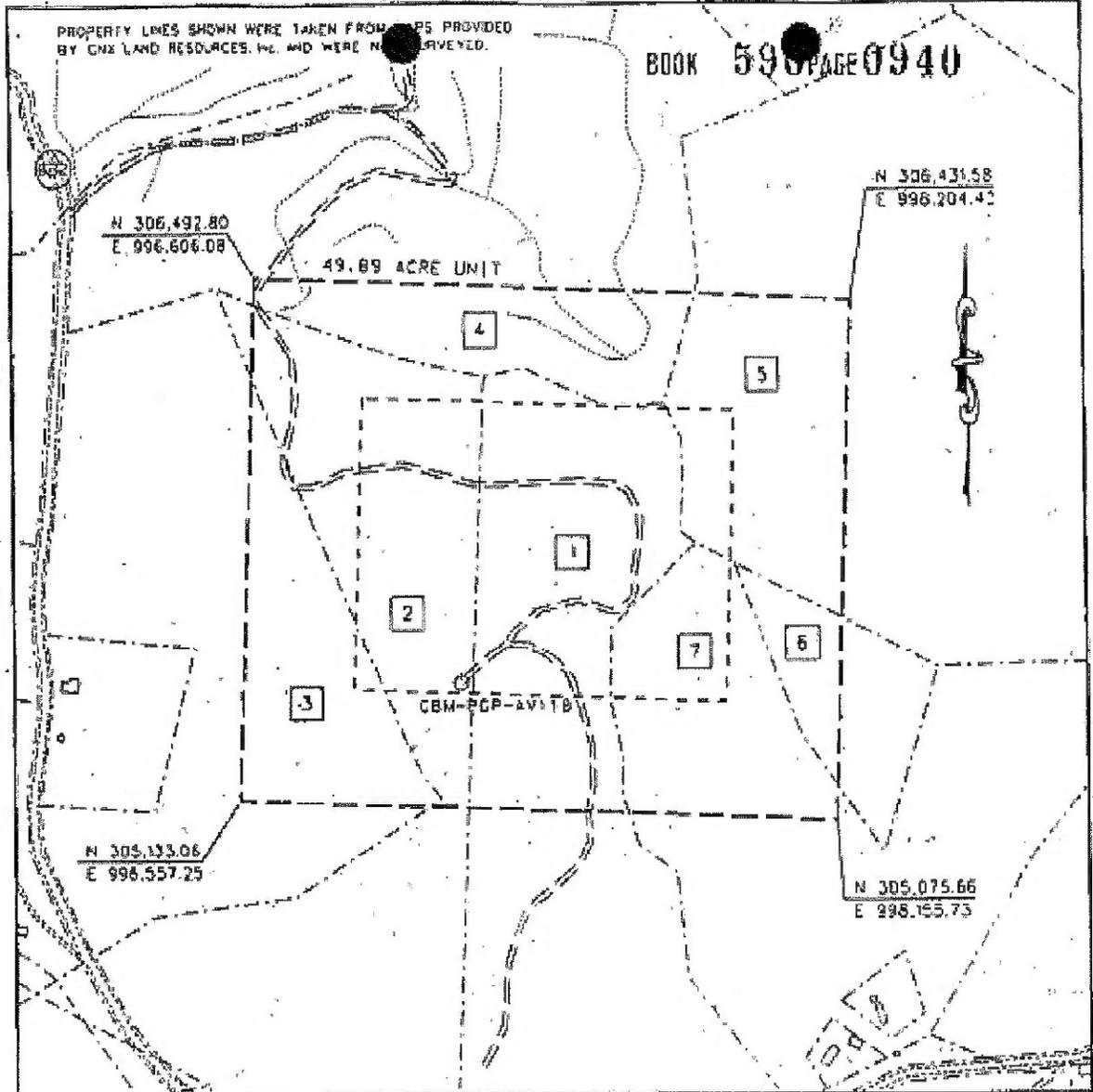
Coalbed Methane

5. Factual basis for relief requested

- a. Demand of the Department of the Treasury, Unclaimed Property Division made by letter dated October 3, 2019, as amended.
- b. Notice of the Disbursement Petition was provided by publication on March 12, 2020 in the Virginia Mountaineer.
- c. See Exhibit T annexed hereto and incorporated herein by reference.

6. Attestation

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



EXHIBIT, A
MIDDLE RIDGE 1 FIELD
UNIT AV-118
FORCE POOLING
VCOB-03-0415-1136

Company Pocahontas Gas Partnership Well Name and Number UNIT AV118
 Tract No. _____ Elevation _____ Quadrangle Kondker
 County Russell District New Garden Scale: 1" = 400' Date 3/12/03
 This plot is a new plot X ; on updated plot _____ ; or a final plot _____

Form DCO-20-3
Rev. 9/91
Charles E. Meyer Licensed Professional Engineer or Licensed Land Surveyor

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**CNX Gas Company LLC
UNIT AV118
Tract Identifications
(49.89 Acre Unit)**

1. **Steve M. Hubbard, et al (32.00 Acre Tract) – Fee except Coal In Red Ash and Jawbone Seams
Martin McGee – Coal in the Jawbone Seam
Ira and Polly Hubbard, Heirs, Devisees or Successors – Coal In the Red Ash Seam
CNX Gas Company LLC – Oil, Gas and CBM Leased
11.62 acres 23.2912%**

2. **H. C. Bostic Coal Company – Fee except Pocahontas Seam
Myrtle Donohoe Dye or Heirs, Successors or Devisees – Coal in Pocahontas Seam
CNX Gas Company LLC – Oil, Gas and CBM Leased
10.34 acres 20.7255%**

3. **Dorothy Miller Heirs, et al (60.00 Acre Tract) – Fee (Except Red Ash and Jawbone Seams)
Knox Creek Coal Corporation - Jawbone Seam
L. E. Joyce and W. P. Joyce - Red Ash Seam
L. E. Joyce and W. P. Joyce - Coal Seams Above Red Ash Seam Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
6.64 acres 13.3093%**

4. **Jerry Roger Kirk, Jr., et al (32.00 Acre Tract) – Surface and All Minerals except Gas and Jawbone and Red Ash Seams
Knox Creek Coal Corporation – Jawbone and Red Ash Seams
Martin E. McGee, et ux – Gas and CBM
CNX Gas Company LLC – Oil, Gas and CBM Leased
5.48 acres 10.9842%**

5. **Swords Creek Land Partnership Tr. 58 (69.00 Acre Tract) – Fee
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
7.45 acres 14.9329%**

6. **Earnest J. Hensley (4.00 Acre Tract) – Fee
1.68 acres 3.3674%**

7. **Martin E. McGee – All Minerals except Coal in Red Ash Seam
Knox Creek Coal Corporation – Coal in Red Ash Seam
CNX Gas Company LLC – Oil, Gas and CBM Leased
Emmanuel Hubbard, et al - Surface
6.68 acres 13.3895%**

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

Exhibit E
Unit AV-118
Docket #VGOB 03-0415-1136-02
List of Owners/Claimants that require Escrow
(49.89 Acre Unit)
Revised Exhibit

	Acres in Unit	Interest in Unit
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Escrowing no longer required

Exhibit EE
Unit AV-118
Docket #VGOB 03-0415-1136-02
List of Respondents with Royalty Split Agreements/Court Order/HB2058
(49.89 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2, 10.34 acres</u>			
COAL OWNERSHIP			
(2) Myrtle Donohoe Dye Heirs, Devisees, Successors or Assigns (<i>Pocahontas Seam</i>)	10.34 acres	20.7256%	
(a) James R. Grace Heirs, Devisees, Successors or Assigns			
(a.1) Allison Gillespie 201 Albert Street Bluefield, VA 24605	1.72 acres 1/6 of 10.34 acres	3.4543%	n/a
(a.2) Angela Rockholt 7015 Alton Avenue Jacksonville, FL 32211	1.72 acres 1/6 of 10.34 acres	3.4543%	n/a
(b) Helen McReynolds * PO Box 747 Cedar Bluff, VA 24609	3.45 acres 1/3 of 10.34 acres	6.9085%	n/a
(c) Peggy Arnett 2590 Lester Court Mansfield, OH 44903	3.45 acres 1/3 of 10.34 acres	6.9085%	n/a
OIL & GAS OWNERSHIP			
(1) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649	10.34 acres	20.7256%	n/a

Tract #6, 1.68 acres

COAL OWNERSHIP

(1) Unknown Heirs of Earnest J. Hensley
c/o Department of Treasury - Unclaimed Property Division
PO Box 2478
Richmond, VA 23218

1.68 acres 3.3674% n/a

OIL & GAS OWNERSHIP

(1) Unknown Heirs of Earnest J. Hensley
c/o Department of Treasury - Unclaimed Property Division
PO Box 2478
Richmond, VA 23218

1.68 acres 3.3674% 100.00%
HB2058

Total Acres Resolved 12.02
Total Percentage Resolved 24.0930%

2020705

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 4-24, 2020. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:21 o'clock P. M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: S. Gilmer

BY: Ann S. McReynolds CLERK