

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-0817-1318-02

ELECTIONS: UNIT BB-33
(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 **March 29, 2023** which was recorded at **Instrument 230000446** in the Office of the Clerk of the Circuit Court of **Buchanan County**, Virginia, on **April 17, 2023** (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 45.2-1620.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 BB-33**

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.

230000949

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.

230000949

DONE AND EXECUTED this 12 day of June, 2023 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

DONE AND PERFORMED this 12 day of June, 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 12th day of June, 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 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



Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas LLC for Re-Pooling of Interests in Unit BB-33
VGOB 04-0817-1318-02 in the Garden District of Buchanan County, 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 March 29, 2023, 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 Virginia Department of Energy, the Office of the Gas and Oil Inspector, at Big Stone Gap, 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 April 17, 2023;

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:

Thomas P. Stilwell – Election Option 9.2

That respondents identified in Exhibit B-3 hereto, having made an election under Option 9.2, are deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of March 29, 2023;

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.

None

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 45.2-1620.D. and 45.2-1622.B.3. and 4.

Dated at Cedar Bluff, Virginia, this 6th day of June, 2023.

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 Inc.

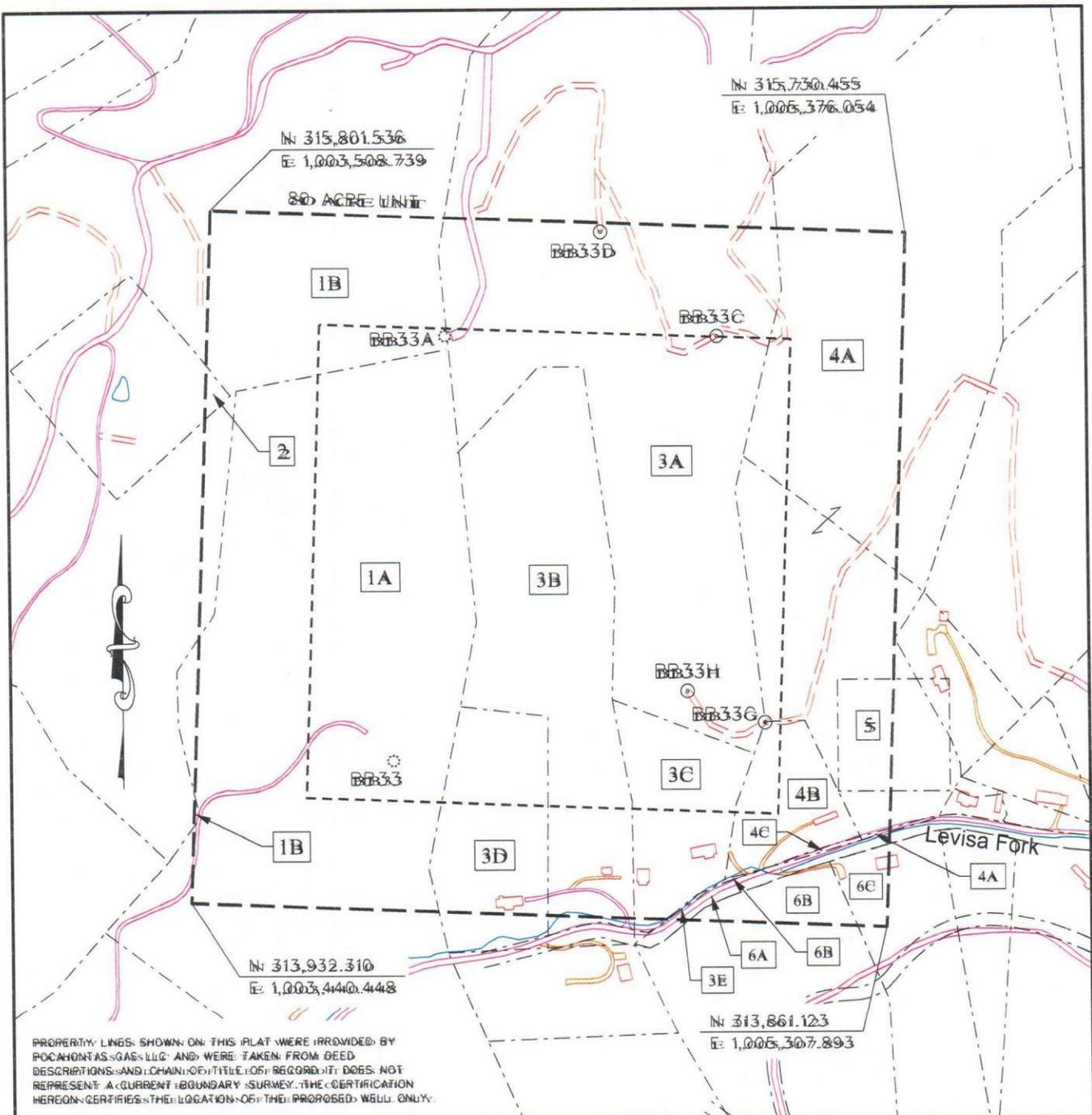
on behalf of the corporate Designated Operator, this 6th day of June, 2023.

Kelli Berry

Notary

My commission expires: 8/31/2025.



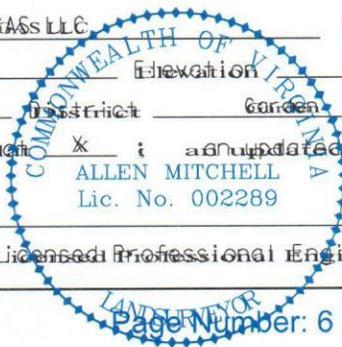


PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY POCAHONTAS GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE OF RECORD. IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.

☉ CBM WELL
 ○ PROPOSED CBM WELL

EXHIBIT A
OAKWOOD FIELD
UNIT BB33
FORCE POOLING
WGB-04-0817-1318-02

Company POCAHONTAS GAS LLC Well Name and Number UNIT BB33 Digitally signed
 Tract No. _____ Elevation _____ Allen Mitchell
 County Buchanan District _____ Section _____ Scale: 1" = 400' Date
 This plat is a new plat or an updated plat _____ of _____
 Form DGO-60-7 _____ **ALLEN MITCHELL** Date: 2023.02.01
 Rev. 9/91 _____ **MITCHELL** 14:32:53 -05'00'
 Licensed Professional Engineer or Licensed Land Surveyor



**Pocahontas Gas LLC
UNIT BB33
Tract Identifications**

230000949

1. Coal Mountain Mining Company, L.L.P. (346.00 Acres Tract 29) – All 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 Leased
28.89 Acres 36.1125%
- 1A. Jasper Keen Heirs - Surface
- 1B. Buchanan Mining Company LLC – Surface
2. Buchanan Mining Company LLC – Coal
Coal Mountain Mining Company Limited, L.L.P. (346.00 Acres Tract 29) – All Minerals except coal
Pocahontas Gas LLC – Oil, Gas, and CBM Leased
Buchanan Mining Company LLC – Surface
0.12 Acres 0.1500%
3. Coal Mountain Mining Company, L.L.P. (35 Acres Tract 30) – All 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 Leased
34.17 Acres 42.7125%
- 3A. Thomas Stilwell et al - Surface
- 3B. Lula Davis et al – Surface
- 3C. John Davis, et al – Surface
- 3D. John Davis – Surface
- 3E. Commonwealth of Virginia – Surface
4. Coal Mountain Mining Company, L.L.P. (128 Acres Tract 31) – All 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 Leased
13.70 Acres 17.125%
- 4A. Thomas P. Stilwell - Surface
- 4B. Emory and Delores Stilwell - Surface
- 4C. Commonwealth of Virginia – Surface
5. Thomas P. Stilwell - Fee
0.99 Acres 1.2375%

"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."

**Pocahontas Gas LLC
UNIT BB33
Tract Identifications**

230000949

- 6. Coal Mountain Mining Company, L.L.P. (160 Acres Tract 34) – All 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 Leased
2.13 Acres 2.6625%
- 6A. Commonwealth of Virginia – Surface
- 6B. Buchanan Mining Company LLC - Surface
- 6C. Tonya J. Baldwin – Surface

"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 B
Unit BB-33
Docket #VGOB 04-0817-1318-02
List of all Owners/Claimants

	Net Acres in Unit	Interest in Unit	Interest in 1 South	Interest in 2 South
			7.5783%	19.0002%
I. COAL OWNERSHIP				
<u>Tract #1 - 28.89 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	28.89 acres	36.1125%		
<u>Tract #2 - 0.12 acres</u>				
(1) Buchanan Mining Company LLC PO Drawer L Oakwood, VA 24631	0.12 acres	0.1500%		
<u>Tract #3 - 34.17 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	34.17 acres	42.7125%		
<u>Tract #4 - 13.70 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	13.70 acres	17.1250%		
<u>Tract #5 - 0.99 acres</u>				
(1) Thomas P. Stilwell 1898 Old Kentucky Turnpike Road Raven, VA 24639	0.99 acres	1.2375%		
<u>Tract #6 - 2.13 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	2.13 acres	2.6625%		
II. OIL & GAS OWNERSHIP				
<u>Tract #1 - 28.89 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	28.89 acres	36.1125%	2.7367%	6.8614%
<u>Tract #2 - 0.12 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	0.12 acres	0.1500%	0.0114%	0.0285%

230000949

Exhibit B
Unit BB-33
Docket #VGOB 04-0817-1318-02
List of all Owners/Claimants

	Net Acres in Unit	Interest in Unit	Interest in 1 South	Interest in 2 South
			7.5783%	19.0002%
<u>Tract #3 - 34.17 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	34.17 acres	42.7125%	3.2369%	8.1155%
<u>Tract #4 - 13.70 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	13.70 acres	17.1250%	1.2978%	3.2538%
<u>Tract #5 - 0.99 acres</u>				
(1) Thomas P. Stilwell 1898 Old Kentucky Turnpike Road Raven, VA 24639	0.99 acres	1.2375%	0.0938%	0.2351%
<u>Tract #6 - 2.13 acres</u>				
(1) Coal Mountain Mining Company, LLP P.O. Box 675 Tazewell, VA 24651	2.13 acres	2.6625%	0.2018%	0.5059%

230000949

Exhibit B-3
Unit BB-33
Docket #VGOB 04-0817-1318-02
List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit	Interest in 1 South	Interest in 2 South	Election
			7.5783%	19.0002%	

II. OIL & GAS FEE OWNERSHIP

Tract #5 - 0.99 acres

(1)	Thomas P. Stilwell 1898 Old Kentucky Turnpike Road Raven, VA 24639	0.99 acres	1.2375%	0.0938%	0.2351% <i>Election Option 9.2</i>
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TOTAL UNLEASED OIL AND GAS ESTATE:
Total Acres 0.99
Total Percentage 1.2375%

INSTRUMENT 230000949
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
AUGUST 3, 2023 AT 03:05 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB