

VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 11/2/2022

Instrument Type: ODU

Number of Parcels: 0 Number of Pages: 12

[] City [X] County RUSSELL
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[X] Grantor: VIRGINIA GAS AND OIL BOARD

[X] Grantee: POCAHONTAS GAS LLC

Business/Name

(Area Above Reserved For Deed Stamp Only)

Grantor:

Grantor:

1 X Grantee: POCAHONTAS GAS LLC

2 Grantee: BRYANT, TIMOTHY

Grantee Address

Name: POCAHONTAS GAS LLC

Address: P O BOX 570

City: POUNDING MILL State: VA Zip Code: 24637

Consideration: \$0.00 Existing Debt: \$0.00 Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00 Fair Market Value Increase: \$0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [] City [] County Percentage In This Jurisdiction:

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number:

Short Property Description:

Current Property Address:

City: State: Zip Code:

Instrument Prepared By: VIRGINIA GAS AND OIL BOARD Recording Paid By: VIRGINIA DEPARTMENT OF ENERGY

Recording Returned To: VIRGINIA DEPARTMENT OF ENERGY

Address: 3405 MOUNTAIN EMPIRE RD

City: BIG STONE GAP State: VA Zip Code: 24219



VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM B – ADDITIONAL GRANTORS/GRANTEES

Instrument Date: 11/2/2022

Instrument Type: ODU

Number of Parcels: 0 Number of Pages: 12

City County RUSSELL
CIRCUIT COURT

(Area Above Reserved For Deed Stamp Only)

Grantor Business/Name

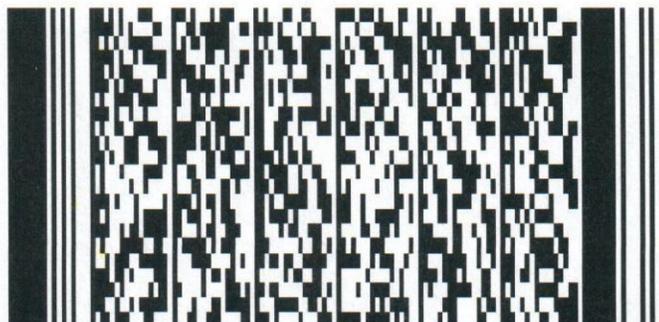
..... Grantor:

Grantee Business/Name

3 Grantee: BRYANT, JENNIFER

4 × Grantee: SWORDS CREEK LAND PARTNERSHIP

..... Grantee:



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: AZ123

TRACT(S): 1E

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-05-0315-1415-06

APPLICANTS: Pocahontas Gas LLC on behalf of Timothy and Jennifer Bryant

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 07/21/2005, Recorded on 07/25/2005, Deed Book/Instrument No. 635, Page 666, County RUSSELL.
2. Supplemental Order, Recorded on 12/13/2007, Deed Book/Instrument No. 682, Page 910, County RUSSELL.
3. Disbursement Order -01 Executed 11/24/2009, Recorded on 11/30/2009, County RUSSELL.
4. Disbursement Order -02 Executed 10/23/2014, Recorded on 11/04/2014, Deed Book/Instrument No. 0782, Page 0214, County RUSSELL.

5. Disbursement Order -03 Executed 01/21/2016, Recorded on 02/01/2016, Deed Book/Instrument No. 0798, Page 0173, County RUSSELL.
6. Disbursement Order -04 Executed 06/09/2016, Recorded on 06/22/2016, Deed Book/Instrument No. 0804, Page 264, County RUSSELL.
7. Disbursement Order -05 Executed 03/22/2017, Recorded on 04/13/2017, Deed Book/Instrument No. 0818, Page 475, 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) 1E identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1E 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. Timothy and Jennifer Bryant are the gas claimants in Tract(s) 1E. As such Timothy and Jennifer Bryant are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.2-1624.A.
- b. That Pocahontas Gas LLC (formerly 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 05-0315-1415-03, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership 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 Timothy and Jennifer Bryant and shall 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 § 45.2-1609 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.

DONE AND EXECUTED this 2 day of November, 2022 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Donald L. Ratliff

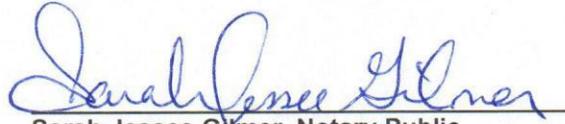
DONE AND PERFORMED this 2 day of November, 2022 by Order of the Virginia Gas and Oil Board.



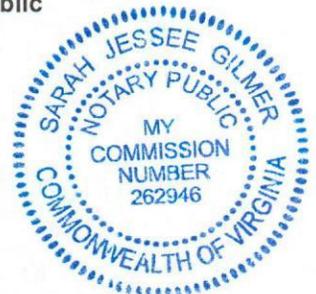
James P. Skorupa
Principal Executive to the staff,
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 2nd day of November, 2022, 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 05-0315-1415-06

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1E (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: AZ123

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 1E, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Timothy and Jennifer Bryant.

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. Timothy and Jennifer Bryant are the gas claimants in Tract(s) 1E. As such Timothy and Jennifer Bryant are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.2-1624.A.
- b. That Pocahontas Gas LLC (formerly 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 05-0315-1415-03, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership 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 Timothy and Jennifer Bryant and shall 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 CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

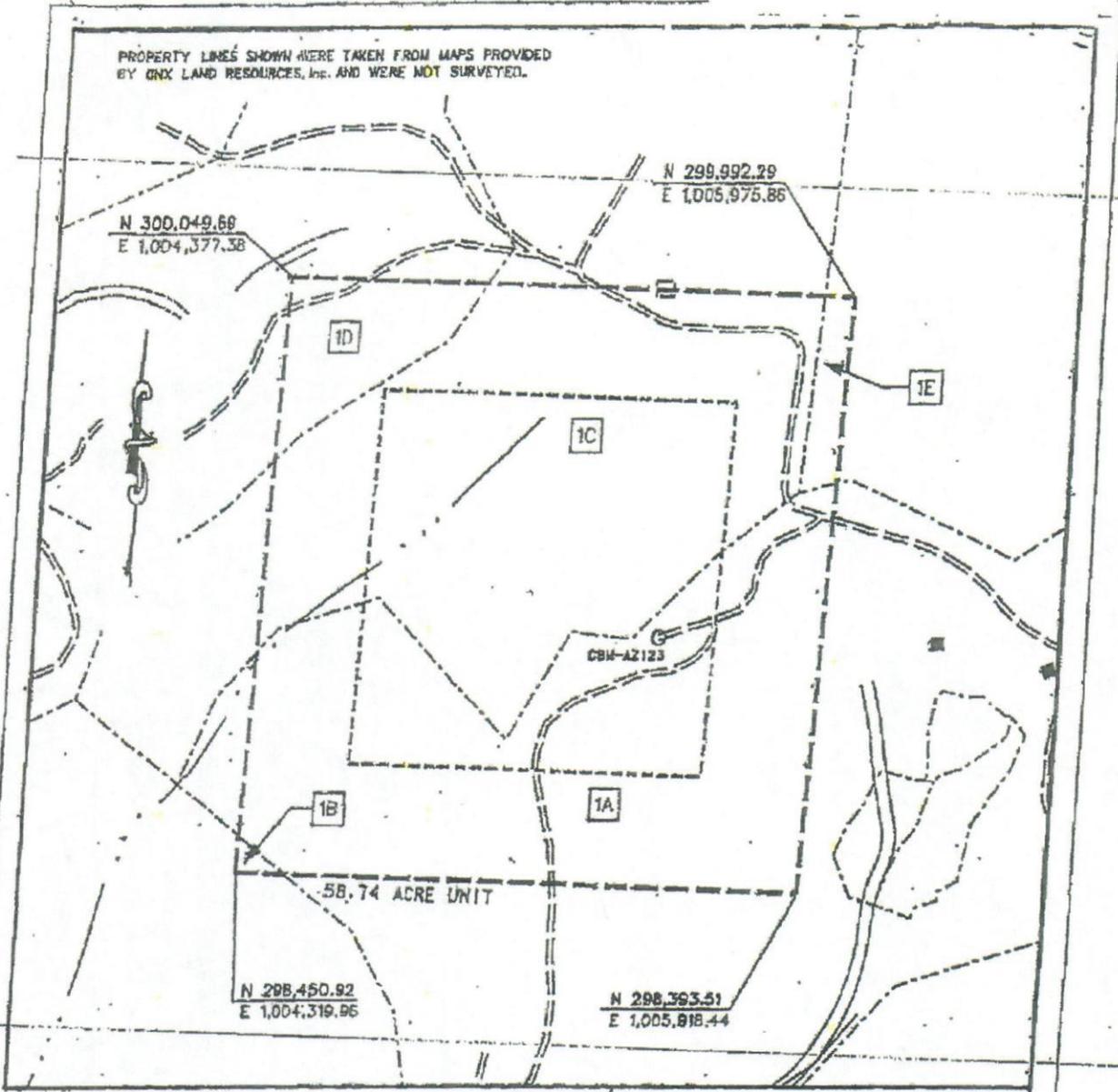
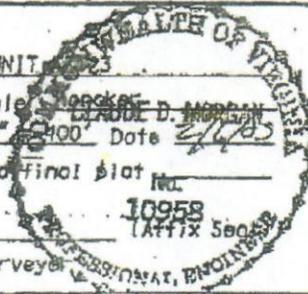


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AZ-123
FORCE POOLING
VGDB-05-0315-1415

Company CNX Gas Company LLC Well Name and Number UNIT 1415
 Tract No. _____ Elevation _____ Quadrangle CRACKER
 County Russell District New Garden Scale: 1" = 400' Date 2/6/05
 This plot is a new plot or an updated plot _____ or original plot _____

Form DGD-60-7
Rev. 9/91

Claude D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor



CNX GAS COMPANY LLC

UNIT AZ123

Tract identifications
(68.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
A. E. Richardson Heirs - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
26.12 acres 44.4671%
- 1B. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Donald Richardson, et ux - Surface and All Minerals except Coal
0.16 acres 0.2724%
- 1C. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Charles Robinson, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
27.70 acres 47.1670%
- 1D. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Kenneth C. Miller, Jr., et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
3.66 acres 5.2306%
-
- 1E. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Company - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Ralph J. Childress, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (84%)
1.10 acres 1.8727%

Exhibit E
Unit AZ-123
VGOB Docket #05-0315-1415-06
List of Respondents in Escrow
(58.74 Acre Unit)

Net Acres in Unit	Interest in Unit
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Escrowing no longer required

Exhibit EE
Unit AZ-123
VGOB Docket #05-0315-1415-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A - 26.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership <i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i> P.O. Box 29 Tazewell, VA 24651	26.12 acres	44.4671%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
Pauline Richardson Miller, et al.			
(1) A. E. Richardson Heirs, Devisees, Successors or Assigns <i>(75.69 Acre SOG Tract)</i>	26.12 acres	44.4671%	
(a) Pauline Richardson Miller Heirs, Devisees, Successors, or Assigns	8.7067 acres 1/3 of 26.12 acres	14.8224%	<i>n/a</i>
(a.1) Justin Dean Miller PO Box 1797 Honaker, VA 24260			
(b) Daniel F. Richardson 383 A. E. Lane Swords Creek, VA 24649	8.7067 acres 1/3 of 26.12 acres	14.8224%	<i>n/a</i>
(c) David A. Richardson Heirs, Devisees, Successors, or Assigns <i>(Documentation Pending)</i>	8.7067 acres 1/3 of 26.12 acres	14.8224%	<i>n/a</i>
Total Tract Acres	26.12		
Total Tract Percentage	44.4671%		
<u>Tract #1B - 0.16 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership <i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i> P.O. Box 29 Tazewell, VA 24651	0.16 acres	0.2724%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Donald & Evelyn Richardson, <i>te</i> <i>Donald Richardson - DOD 5/15/2018</i>			
(a) Evelyn Wanda Richardson 127 Richmill Road Swords Creek, VA 24649	0.16 acres	0.2724%	<i>n/a</i>
<u>Tract #1C - 27.70 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership <i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i> P.O. Box 29 Tazewell, VA 24651	27.70 acres	47.1570%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Steven Wayne Robinson 3519 Deer Run Road Blacksburg, VA 24060	27.70 acres	47.1570%	<i>n/a</i>
Charles Edwin Robinson & Mark Stilwell Robinson (previously Charles E. Robinson, et al) <i>(82.00 Acre SOG Tract)</i>			<i>Both Conveyed by Deed of Bargain DB752-222 8/31/02 to Steven Wayne Robinson</i>

Exhibit EE
Unit AZ-123
VGOB Docket #05-0315-1415-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1D - 3.66 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership <i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i> P.O. Box 29 Tazewell, VA 24651	3.66 acres	6.2308%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Gladys Irene Miller 2677 Pine Creek Road Swords Creek, VA 24649	3.66 acres	6.2308%	<i>n/a</i>
<u>Tract #1E - 1.10 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership <i>Tr. 21 - A.W. Richardson Tract (1,286.81 acre tract)</i> P.O. Box 29 Tazewell, VA 24651	1.10 acres	1.8727%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
Timothy & Jennifer Bryant, TE <i>(Previously Ralph Childress, et al 81 acre tract)</i>	1.10 acres	1.8727%	
<i>By deed dated June 10, 2021 at Instrument# 2101719 and confirmed by hearing on August 15, 2022 under CL19-530, the Special Commissioner on behalf of Ralph Childress, et al conveyed to Timothy Bryant and Jennifer Bryant as tenants by the entirety with rights of survivorship, pursuant to Virginia Code § 58.1-3965 regarding sale of property for delinquent taxes.</i>			
<i>Due to the various statuses of interest previously held by fractional interest owners, royalty interests will be divided into categories to represent the current status of royalty payments and agreements that new owners are subject to:</i>			
<i>Total interest previously on direct pay pursuant to Royalty Division Agreement:</i>			
(1) Timothy and Jennifer Bryant, TE 71 Orchard Drive Lebanon, VA 24266	0.7652 acres 16/23 of 1.10 acres	1.3027%	<i>n/a</i>
<i>Total interest previously on direct pay pursuant to release from escrow under HB2058 at 100%:</i>			
(2) Timothy and Jennifer Bryant, TE 71 Orchard Drive Lebanon, VA 24266	0.1614 acres 11/75 of 1.10 acres	0.2747%	<i>n/a</i>
<i>Total interest previously held in escrow being released to new owners:</i>			
(3) Timothy and Jennifer Bryant, TE 71 Orchard Drive Lebanon, VA 24266	0.1734 acres 3/19 of 1.10 acres	0.2952%	100.00% HB2058
Total Tract Acres		1.10	
Total Tract Percentage		1.8727%	
Total Acreage Resolved		58.7400	
Total Percentage Resolved			100.0000%