

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

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: X8

TRACT(S): 3

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-05-0816-1491-04

APPLICANTS: Pocahontas Gas LLC on behalf of H-W Financial LLC

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
March 17, 2020 and June 16, 2020

APPEARANCES: Mark A. Swartz on behalf of Pocahontas Gas LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 02/02/2006, Recorded on 02/07/2006, Deed Book/Instrument No. 0000395, County BUCHANAN.
2. Supplemental Order, Recorded on 08/27/2009, Deed Book/Instrument No. 090002586, County BUCHANAN.
3. Disbursement Order -01 Executed 05/06/2016, Recorded on 05/19/2016, Deed Book/Instrument No. 160000897, County BUCHANAN.
4. Disbursement Order -02 Executed 10/21/2016, Recorded on 11/08/2016, Deed Book/Instrument No. 160002055, County BUCHANAN.

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5. Disbursement Order -03 Executed 04/18/2018, Recorded on 05/01/2018, Deed Book/Instrument No. 180000744, County BUCHANAN.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 17, 2020 hearing and was continued to June 16, 2020 where the Board considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3 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:

H-W Financial, LLC is entitled to 100% of the CBM royalties awarded under Case No. CL12-736, Opinion dated December 9, 2019. Said decision allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

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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.

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DONE AND EXECUTED this 18 day of June, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

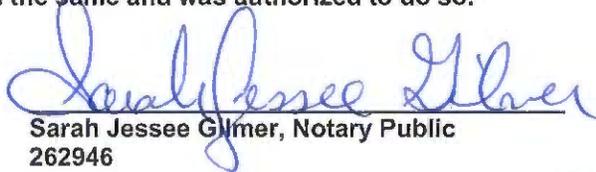
DONE AND PERFORMED this 18 day of June, 2020 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 18th day of June, 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 05-0816-1491-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 3 (2) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: March 17, 2020

DRILLING UNIT: X8

BUCHANAN 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, attributable to Tract 3, as depicted upon the annexed table. (Royalties currently being paid under VP8SGU5, Docket #VGOB 07-1113-2083)

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

H-W Financial, LLC is entitled to 100% of the CBM royalties awarded under Case No. CL12-736, Opinion dated December 9, 2019. Said decision allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table, further, specifies how said royalties are to be paid.

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.

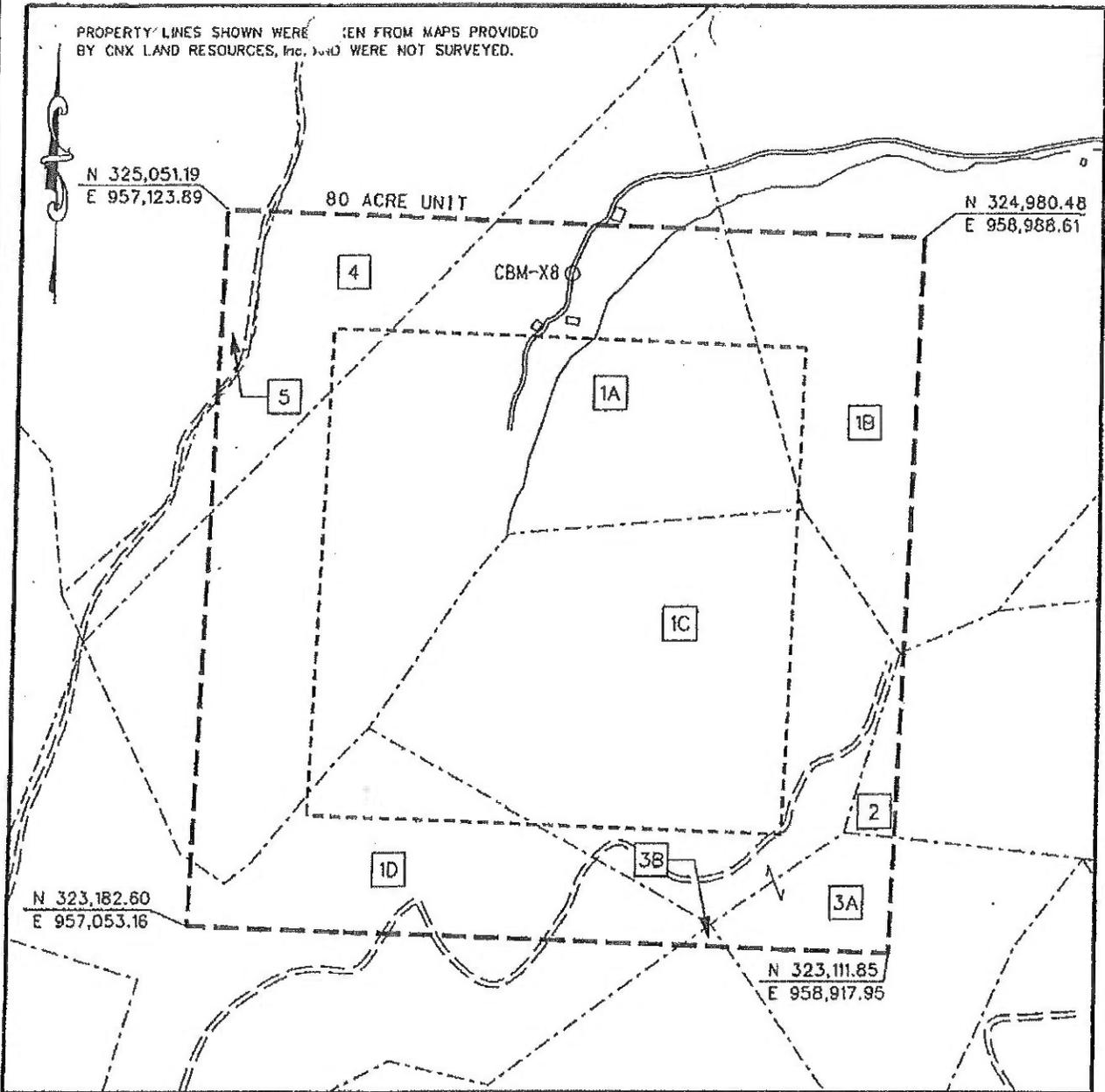
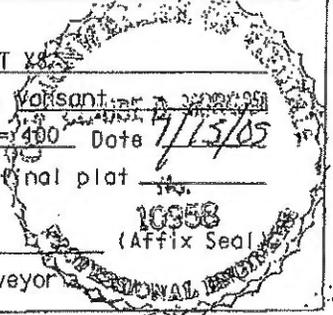


EXHIBIT A
 OAKWOOD FIELD
 UNIT X-8
 FORCE POOLING
 VGOB-05-0816-1491

Company CNX Gas Company LLC Well Name and Number UNIT X-8
 Tract No. _____ Elevation _____ Quadrangle Vasant
 County Buchanan District Prater Scaler: 1" = 400' Date 7/13/05
 This plat is a new plat X; an updated plat _____; or a final plat _____

Form DGO-60-7
 Rev. 9/91

 Licensed Professional Engineer or Licensed Land Surveyor



Plat:Force PoolingX8POOL.dgn 07/12/2005 03:06:08 PM

CNX Gas Company LLC**UNIT X8****Tract Identifications**

- 1A. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 CNX Gas Company LLC - All Minerals except Coal
 Island Creek Coal Company/Consol Energy, Inc. - Surface
 30.15 acres 37.6875%
- 1B. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Buchanan County - Surface and All Minerals except Coal
 8.02 acres 10.0250%
- 1C. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 Ronald E and Teresa H. Brents, Trustees - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 22.78 acres 28.4750%
- 1D. Harrison-Wyatt, LLC Big Axe Tr. 27 (200 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 CNX Gas Company LLC - All Minerals except Coal
 Island Creek Coal Company/Consol Energy, Inc. - Surface
 9.25 acres 11.5625%
2. Harrison-Wyatt, LLC Big Axe Tr. 40 (155 Acre Tract) - All Minerals
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 CNX Gas Company LLC - Surface
 0.79 acres 0.9875%
3. Harrison-Wyatt, LLC Big Axe Tr. 37 (105 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
 CNX Gas Company LLC - CBM Leased
 James A. Tiller Heirs and Frank Howard Heirs - All Minerals except Coal
 2.43 acres 3.0375%
- 3A. Ronald E. and Teresa H. Brents, Trustees - Surface
 3B. Unknown Surface Owner

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CNX Gas Company LLC

UNIT X8

Tract Identifications

4. T. R. Mullins, et al – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Bobby H. C. Jackson, et al – Surface and All Minerals except Coal
5.68 acres 7.1000%

5. Harrison-Wyatt, LLC Big Axe Tr. 23 (900 Acre Tract) - Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Bobby H. C. Jackson, et al – Surface and All Minerals except Coal
0.90 acres 1.1250%

Exhibit B-2
Unit X-8
Docket #VGOB 05-0816-1491-04
List of Respondents to be Dismissed

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| Acres in Unit | Percent of Unit | Interest in VP8-2 South Panel 8.6552% | Reason for Dismissal |
|---------------|-----------------|---------------------------------------|----------------------|
|---------------|-----------------|---------------------------------------|----------------------|

II. OIL & GAS FEE OWNERSHIP

Tract #3, 2.43 Acres

| | | | | |
|---|------------|----------|---------|------------|
| (1) <i>Parties known and/or unknown who may be heirs of Riddle Colley, Frank Howard, Amanda Howard, James A. Tiller, and Louisa (or Luvinia) H. Tiller; including but not limited to the following:</i> | 2.43 acres | 3.03750% | 0.2629% | Not owners |
|---|------------|----------|---------|------------|

Irene R. Simpkins
221 Sunny Drive
Princeton, WV 24740

Fairy P. Colley
4908 Cochise Trail
Richmond, VA 23237

Gary Clay Colley
5195 US BSN Highway 340
Stanley, VA 22851

Dalri E. Colley
1165 East Main Street
Stanley, VA 22851

Graham A. Colley
2973 Vaughn Summit Road
Luray, VA 22835

Donna J. Chavers
137 Nez Perce Way
Chester Gap, VA 22623

John Edward Hayes II
12560 Erroll Lane
Bristow, VA 20136

Leisha Howard
2877 River Mountain Road
Lebanon, VA 24266

Pamela Cherly Colley Johnson
43 Pendergrass Road
Bristol, VA 24201

Brenda Lee Jamison
402 Worthville Street
Randleman, NC 27317

Denise Colley
20718 Lamoreaux Landing Square
Ashburn, VA 20148

Richard William Colley
20718 Lamoreaux Landing Square
Ashburn, VA 20148

Amos R. Colley
46877 Ducksprings Way
Sterling, VA 20164

Bobbie Kean Mussomele
3503 Alberta Drive
Fredericksburg, VA 22408

Rhonda Sue Tucker
606 S. Alder Avenue
Orlando, FL 32807

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Exhibit B-2
Unit X-8
Docket #VGOB 05-0816-1491-04
List of Respondents to be Dismissed

| Acres in Unit | Percent of Unit | Interest in VP8-2 South Panel 8.6552% | Reason for Dismissal |
|---------------|--------------------|---|-------------------------|
|---------------|--------------------|---|-------------------------|

Kenneth Wayne Colley
1936 Oldgate Lane
Garland, TX 75042

Ina Fern Colley
1703 McCody Circle, Apt 110
Port Angeles, WA 98326

Jeffery James Colley
9502 Tower Street
Manassas, VA 20110

Betty Colley
1192 Nelson Lane
Amisville, VA 20106

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Exhibit E
Unit X-8
Docket #VGOB 05-0816-1491-04
List of Respondents that require escrow

| | Acres in Unit | Percent of Unit | Interest in VPB-2 S. Panel 8.6552% |
|--|---------------|--------------------|--|
|--|---------------|--------------------|--|

Escrowing no longer required

Exhibit EE
Unit X-8
Docket #VGOB 05-0816-1491-04
List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

| | Acres in Unit | Percent of Unit | Interest in VP8-2 South Panel 8.6552% | Percent of Escrow |
|--|---------------|--------------------|---|----------------------|
| <u>Tract #1A, 30.15 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543 | 30.15 acres | 37.6875% | 3.2619% | <i>n/a</i> |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 | 30.15 acres | 37.6875% | 3.2619% | <i>n/a</i> |
| <u>Tract #1B, 8.02 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543 | 8.02 acres | 10.0250% | 0.8677% | <i>n/a</i> |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) Buchanan County P.O. Box 1056 Grundy, VA 24614 | 8.02 acres | 10.0250% | 0.8677% | <i>n/a</i> |
| <u>Tract #1C, 22.78 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543 | 22.78 acres | 28.47500% | 2.4646% | <i>n/a</i> |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) Theresa H. Brents 713 Churchmans Mill Road Stuart Draft, VA 24477 | 22.78 acres | 28.47500% | 2.4646% | <i>n/a</i> |
| <i>Prevailing plaintiff under Case No. CL12-387 Awarded 100% of the CBM royalty.</i> | | | | |
| <u>Tract #1D, 9.25 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.27 P.O. Box 11000 Danville, VA 24543 | 9.25 acres | 11.5625% | 1.0008% | <i>n/a</i> |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830 | 9.25 acres | 11.5625% | 1.0008% | <i>n/a</i> |
| <u>Tract #3, 2.43 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.37 P.O. Box 11000 Danville, VA 24543 | 2.43 acres | 3.03750% | 0.2629% | <i>n/a</i> |

Exhibit EE
Unit X-8
Docket #VGOB 05-0816-1491-04
List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

| | Acres in Unit | Percent of Unit | Interest In VP8-2 South Panel 8.6552% | Percent of Escrow |
|--|----------------------------------|--------------------|---|------------------------|
| OIL & GAS OWNERSHIP | | | | |
| (1) H-W Financial, LLC, Tr.37 P.O. Box 11000 Danville, VA 24543 | 2.43 acres | 3.03750% | 0.2629% | 100.00% Court Order |
| <i>Prevailing plaintiff under Case No. CL12-736 Awarded 100% of the CBM royalty.</i> | | | | |
| Tract #4, 5.68 Acres | | | | |
| COAL OWNERSHIP | | | | |
| T.R. Mullins, et al. | 5.68 acres | 7.10000% | 0.6145% | n/a |
| (1) Theodore A. Mullins Heirs, Devisees, Successors or Assigns | | | | |
| (a) Theodore Blaine Mullins 1468 Rock Cliff Drive, Apt #3 Martinsburg, WV 25401 | 0.63 acres 1/9 of 5.68 acres | 0.78889% | 0.06828% | n/a |
| (b) Cornelia Maurice Mullins P.O. Box 51 Clendenin, WV 25045 | 0.63 acres 1/9 of 5.68 acres | 0.78889% | 0.06828% | n/a |
| (c) Marilyn Mullins 19107 Park Place Blvd. Eustis, FL 32736 | 0.63 acres 1/9 of 5.68 acres | 0.78889% | 0.06828% | n/a |
| (2) John L. & Lucille M. Mullins Sr. Heirs, Devisees, Successors or Assigns | | | | |
| (a) George W. Mullins, Sr. 165 Muller Road Cottageville WV 25239 | 0.47 acres 1/12 of 5.68 acres | 0.59167% | 0.05121% | n/a |
| (b) Jo Ann Barker Heirs, Devisees, Successors or Assigns | | | | |
| (b.1) Robert Barker Heirs, Devisees, Successors or Assigns | | | | |
| (b.1.1) Thomas J. Barker 13658 NW 172 Ave Alachua, FL 32615-4453 | 0.12 acres 1/48 of 5.68 acres | 0.1479% | 0.01280% | n/a |
| (b.1.2) Timothy J. Barker 3854 Hampton Crest Lane Kennesaw, GA 30152-6990 | 0.12 acres 1/48 of 5.68 acres | 0.1479% | 0.01280% | n/a |
| (b.1.3) Elizabeth Barker 7745 Lupine Drive Blacklick, OH 43004-8062 | 0.12 acres 1/48 of 5.68 acres | 0.1479% | 0.01280% | n/a |
| (b.1.4) Jennifer Marie Wheeler 2151 Eastover Lane Miamisburg, OH 45342-5299 | 0.12 acres 1/48 of 5.68 acres | 0.1479% | 0.01280% | n/a |
| (c) John L. Mullins, Jr. Heirs, Devisees, Successors or Assigns | | | | |
| (c.1) Stephanie Mullins-Williams 1701 Sir John Court Orlando, FL 32837-6309 | 0.12 acres 1/48 of 5.68 acres | 0.14792% | 0.01280% | n/a |
| (c.2) John David Mullins 2601 Sandtrap Lane #D Melbourne, FL 32935 | 0.12 acres 1/48 of 5.68 acres | 0.14792% | 0.01280% | n/a |

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Exhibit EE
Unit X-8
Docket #VGOB 05-0816-1491-04

List of Respondents with Royalty Split Agreements/HB 2058/Court Orders

| | Acres in Unit | Percent of Unit | Interest in VP8-2 South Panel 8.6552% | Percent of Escrow |
|---|----------------------------------|-----------------|---------------------------------------|--|
| (c.3) Barndon Overton Mullins 2601 Sandtrap Lane #D Melbourne, FL 32935 | 0.12 acres 1/48 of 5.68 acres | 0.14792% | 0.01280% | n/a |
| (c.4) Heather L. Dawson 1675 Advieu Road Estates / Bayside Lakes Palm Bay, FL 32909 | 0.12 acres 1/48 of 5.68 acres | 0.14792% | 0.01280% | n/a |
| (d) Thomas L. Mullins 1394 Poca River Road South Poca, WV 25159 | 0.47 acres 1/12 of 5.68 acres | 0.59167% | 0.05121% | n/a |
| (3) Augutus C. Mullins Heirs, Devisees, Successors or Assigns | | | | |
| (a) Madeline Hunt, widow P.O. Box 7305 Zephyrhills, FL 33543 | 1.89 acres 1/3 of 5.68 acres | 2.36667% | 0.20484% | n/a |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) Bobby Henry Craig Jackson, et al. <i>(p/o 46.64 acre SOG Tract)</i> | 5.68 acres | 7.1000% | | |
| (a) Bobby H.C. Jackson & Tracy Jackson, TE P.O. Box 872 Lester Prairie, MN 55354 | 5.68 acres | 7.1000% | 0.61452% | n/a |
| (b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656 | | | | <i>Ownership subject to a Life Estate reservation deeded July 1994</i> |
| <u>Tract #5, 0.90 Acres</u> | | | | |
| <u>COAL OWNERSHIP</u> | | | | |
| (1) H-W Financial, LLC, Tr.23 P.O. Box 11000 Danville, VA 24543 | 0.90 acres | 1.12500% | 0.0974% | n/a |
| <u>OIL & GAS OWNERSHIP</u> | | | | |
| (1) Bobby Henry Craig Jackson, et al. <i>(p/o 35.00 acre SOG Tract)</i> | 0.90 acres | 1.1250% | | |
| (a) Bobby H.C. Jackson & Tracy Jackson, TE P.O. Box 872 Lester Prairie, MN 55354 | 0.90 acres | 1.1250% | 0.0974% | n/a |
| (b) Lawrence Jackson P.O. Box 376 Vansant, VA 24656 | | | | <i>Ownership subject to a Life Estate reservation deeded July 1994</i> |
| | Total Acreage Resolved | 79.2100 | | |
| | Total Percentage Resolved | | 99.0125% | |

INSTRUMENT 200000666
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
JULY 13, 2020 AT 04:02 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB