

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:** DD18

**TRACT(S):** 4C

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-09-0915-2597-04

**APPLICANTS:** Pocahontas Gas LLC on behalf of Lloyd R. Street

**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 11/04/2009, Recorded on 12/04/2009, Deed Book/Instrument No. 090003760, County BUCHANAN.
2. Supplemental Order, Recorded on 08/11/2010, Deed Book/Instrument No. 100002213, County BUCHANAN.
3. Disbursement Order -01 Executed 01/12/2016, Recorded on 02/02/2016, Deed Book/Instrument No. 160000149, County BUCHANAN.
4. Disbursement Order -02 Executed 06/09/2016, Recorded on 06/21/2016, Deed Book/Instrument No. 160001088, County BUCHANAN.

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**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 4C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 4C 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. Lloyd R. Street is the gas claimants in Tr. 4C. As such Lloyd R. Street is 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. § 45.1-361.22:2.A.
- b. That Pocahontas Gas LLC (formerly CNX Gas Company LLC) has previously given the notice(s) required by § 45.1-361.22:2.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 09-0915-2597-01, it dismissed the coal claimant(s) Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, and Buchanan Mining Company LLC as a Respondent to these proceedings. Accordingly, Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, and Buchanan Mining Company LLC 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 Lloyd R. Street 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 § 45.1-361.9 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 19 day of February, 2021 by a majority of the Virginia Gas and Oil Board.

*Donald L. Ratliff*

Interim Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 19<sup>th</sup> day of February, 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, that he executed the same and was authorized to do so.

*Sarah Jessee Gilmer*  
Sarah Jessee Gilmer, Notary Public  
262946



My Commission expires: July 31, 2021

DONE AND PERFORMED this 22 day of February, 2021 by Order of the Virginia Gas and Oil Board.

*James P. Skorupa*

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 22<sup>nd</sup> day of February, 2021, personally before me a notary public in and for the Commonwealth of Virginia, appeared James P. Skorupa, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

*Sarah Jessee Gilmer*  
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 09-0915-2597-04

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 4C (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:** DD18

**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(s) attributable to Tract 4C, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Lloyd R. Street.

**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. Lloyd R. Street is the gas claimants in Tr. 4C. As such Lloyd R. Street is 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. § 45.1-361.22:2.A.
- b. That Pocahontas Gas LLC (formerly CNX Gas Company LLC) has previously given the notice (s) required by § 45.1-361.22:2.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 09-0915-2597-01, it dismissed the coal claimant(s) Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, and Buchanan Mining Company LLC as a Respondent to these proceedings. Accordingly, Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, and Buchanan Mining Company LLC 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 Lloyd R. Street 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.

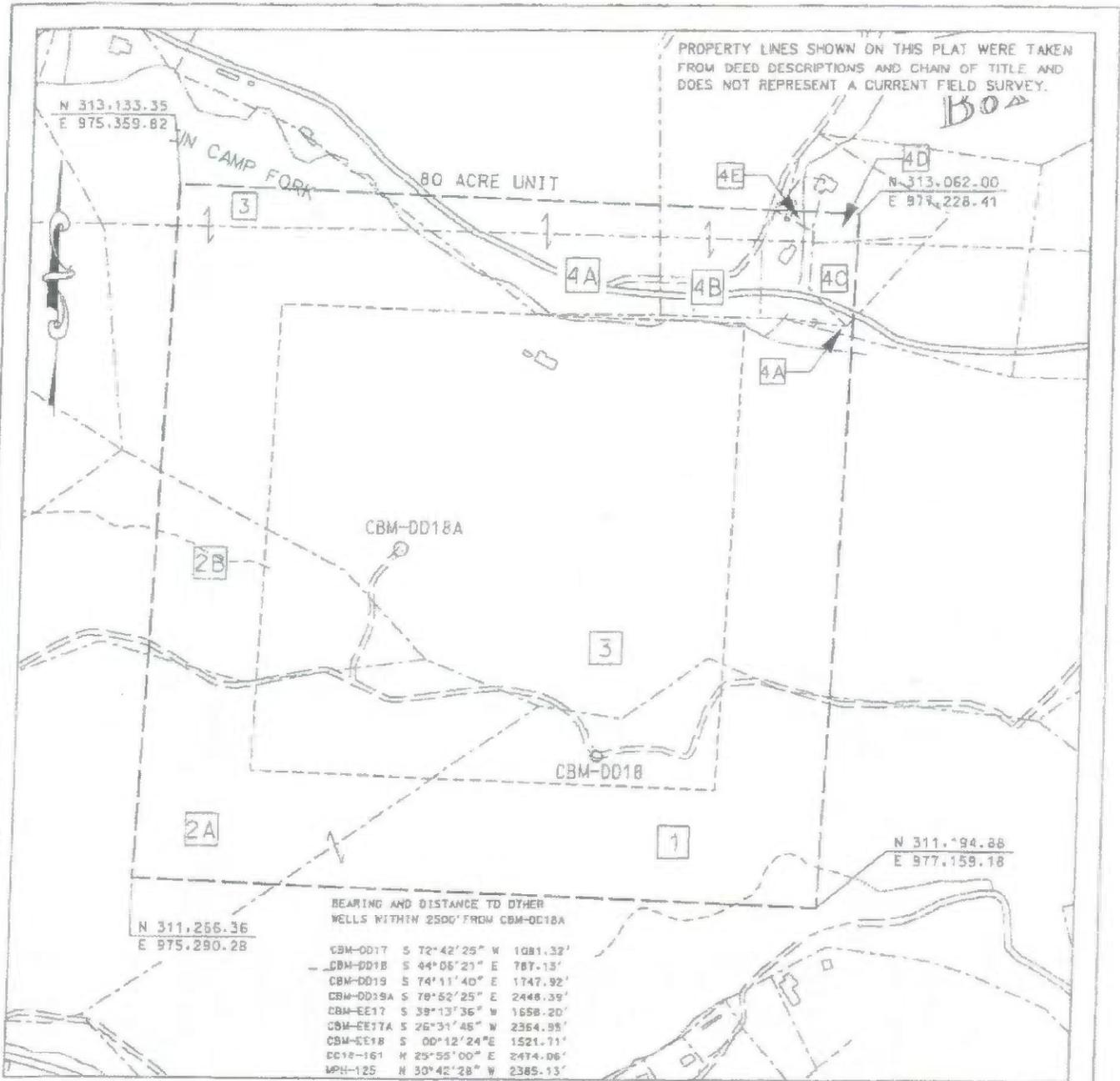


EXHIBIT A  
OAKWOOD FIELD  
UNIT DD18  
FORCE POOLING  
VGOB 09-0915-2597

Company CNX Gas Company LLC Well Name and Number UNIT DD18

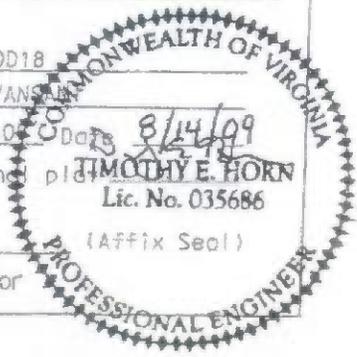
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle VAN

County BUCHANAN District HURRICANE Scale: 1" = 40'

This plat is a new plat  ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-60-7  
Rev. 9/91

*[Signature]*  
Licensed Professional Engineer or Licensed Land Surveyor



**CNX Gas Company LLC**  
**UNIT DD 18**  
**Tract Identifications**

1. Buckhorn Coal Company, Tract 5 (H. C. Stuart 172 Acre Tract) – All Minerals  
 Consolidation Coal Company – Below Tiller Coal Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 CNX Gas Company LLC – Surface  
 14.27 acres                      17.8375%
2. Buckhorn Coal Company, Tract 6 (H.C. Stuart 425 Acre Tract) – All Minerals  
 Reserve Coal Properties Company – Below Tiller Coal Leased  
 Knox Creek Coal Corporation – Coal in Tiller Seam and Above Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 15.81 acres                      19.7625%
- 2A. CNX Gas Company LLC – Surface  
 2B. Clarence Street, Jr., et ux – Surface
3. Buckhorn Coal Company, Tract 4 (H.C. Stuart 260 Acre Tract) – All Minerals  
 Consolidation Coal Company – Below Tiller Coal Leased  
 Knox Creek Coal Corporation – Coal in Tiller Seam and Above Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 A. Y Street Heirs, et al – Surface  
 42.63 acres                      53.2875%
- 4A. Consolidation Coal Company, et al, Big Vein Tr. 77 (p/o 871 Acre Tract) – All Minerals except Oil,  
 Gas and CBM  
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
 Jewell Smokeless Coal Corporation – Coal Above Tiller Seam Leased  
 Highland Resources Corporation, Inc./North American Resources Corporation, et al – All Minerals  
 except Coal and CBM  
 CNX Gas Company LLC – Oil and Gas Leased (1/3)  
 Plum Creek Timberlands, L.P., et al – CBM  
 CNX Gas Company LLC – CBM Leased  
 Consolidation Coal Company – Surface  
 3.74 acres                      4.6750%
- 4B. Consolidation Coal Company, et al, Big Vein Tr. 77 (p/o 871 Acre Tract) – All Minerals except Oil,  
 Gas and CBM  
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
 Jewell Smokeless Coal Corporation – Coal Above Tiller Seam Leased  
 CNX Gas Company LLC – CBM Leased  
 William Meadows, et ux – Surface and All Minerals except Coal  
 2.76 acres                      3.4500%
- 4C. Consolidation Coal Company, et al, Big Vein Tr. 77 (p/o 871 Acre Tract) – All Minerals except Oil,  
 Gas and CBM  
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
 Jewell Smokeless Coal Corporation – Coal Above Tiller Seam Leased  
 CNX Gas Company LLC – CBM Leased  
 Lloyd R. Street, et ux – Surface and all Minerals except Coal  
 0.49 acres                      0.6125%

CNX Gas Company LLC  
UNIT DD 18  
Tract Identifications

- 4D. Consolidation Coal Company, et al, Big Vein Tr. 77 (p/o 871 Acre Tract) – All Minerals except Oil,  
Gas and CBM  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation – Coal Above Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Jeffrey Dale Street – Surface and all Minerals except Coal  
0.22 acres 0.2750%
- 4E. Consolidation Coal Company, et al, Big Vein Tr. 77 (p/o 871 Acre Tract) – All Minerals except Oil,  
Gas and CBM  
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation – Coal Above Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Judy Carol Shortridge – Surface and all Minerals except Coal  
0.08 acres 0.1000%

Exhibit E  
Unit DD-18  
Docket #VGOB 09-0915-2597-04  
List of Respondents requiring escrow  
(80 Acre Unit)

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Net Acres in Unit	Interest in Unit
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*Escrowing no longer required*

Exhibit EE  
Unit DD-18  
Docket #VGOB 09-0915-2597-04  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(80 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #4B, 2.76 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Yukon Pocahontas Coal Company, et al. <i>Big Vein Tr. 77 (p/o 871 Acre Tract)</i>	2.76 acres	3.4500%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.380 acres 1/2 of 2.76 acres	1.7250%	<i>n/a</i>
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.307 acres 1/9 of 2.76 acres	0.3833%	<i>n/a</i>
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.153 acres 1/18 of 2.76 acres	0.1917%	<i>n/a</i>
(d) Buchanan Mining Co LLC PO Drawer L Oakwood, VA 24631	0.920 acres 1/3 of 2.76 acres	1.1500%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) William & Wilma Meadows, T/E 1202 Cartwheel Road Rowe, VA 24646	2.76 acres	3.4500%	<i>n/a</i>
<b><u>Tract #4C, 0.49 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Yukon Pocahontas Coal Company, et al. <i>Big Vein Tr. 77 (p/o 871 Acre Tract)</i>	0.49 acres	0.6125%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.380 acres 1/2 of 0.49 acres	1.7250%	<i>n/a</i>
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.307 acres 1/9 of 0.49 acres	0.3833%	<i>n/a</i>
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.153 acres 1/18 of 0.49 acres	0.1917%	<i>n/a</i>
(d) Buchanan Mining Co LLC PO Drawer L Oakwood, VA 24631	0.920 acres 1/3 of 0.49 acres	1.1500%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Lloyd R. & Susie Street, T/E  Susie H. Street Deceased 9/2017			
(a) Lloyd R. Street PO Box 22 Rosedale, VA 24280	0.49 acres	0.6125%	<b>100.00% HB2058</b>

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Exhibit EE  
Unit DD-18  
Docket #VGOB 09-0915-2597-04  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(80 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #4D, 0.22 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Yukon Pocahontas Coal Company, et al. <i>Big Vein Tr. 77 (p/o 871 Acre Tract)</i>	0.22 acres	0.2750%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.110 acres 1/2 of 0.22 acres	0.1375%	<i>n/a</i>
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.024 acres 1/9 of 0.22 acres	0.0306%	<i>n/a</i>
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.012 acres 1/18 of 0.22 acres	0.0153%	<i>n/a</i>
(d) Buchanan Mining Co LLC PO Drawer L Oakwood, VA 24631	0.073 acres 1/3 of 0.22 acres	0.0917%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Jeffrey Dale Street 2109 Rosen Camp Branch Rd. Rowe, VA 24646	0.22 acres	0.2750%	<i>n/a</i>
<b><u>Tract #4E, 0.08 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Yukon Pocahontas Coal Company, et al. <i>Big Vein Tr. 77 (p/o 871 Acre Tract)</i>	0.08 acres	0.1000%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.055 acres 1/2 of 0.08 acres	0.0688%	<i>n/a</i>
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.012 acres 1/9 of 0.08 acres	0.0153%	<i>n/a</i>
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.006 acres 1/18 of 0.08 acres	0.0076%	<i>n/a</i>
(d) Buchanan Mining Co LLC PO Drawer L Oakwood, VA 24631	0.037 acres 1/3 of 0.08 acres	0.0458%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Judy Carol Shortridge P.O. Box 303 887 Maple Gap Rd. Swords Creek, VA 24649	0.08 acres	0.1000%	<i>n/a</i>
<b>Total Acres Resolved</b>	3.5500		
<b>Total Percent Resolved</b>		4.4375%	

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INSTRUMENT 210000302  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY CIRCUIT COURT ON  
MARCH 16, 2021 AT 10:25 AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB