

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 21-0420-4238 (08-0715-2281 – Prior Order)

ELECTIONS: **UNIT I-37**
(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 **April 20, 2021** which was recorded at **Instrument 210000590** in the Office of the Clerk of the Circuit Court of **Buchanan** County, Virginia, on **May 20, 2021** (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 45.1-361.21.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 I-37**

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.

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.

210000907

DONE AND EXECUTED this 8 day of July, 2021 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Donald L. Ratliff

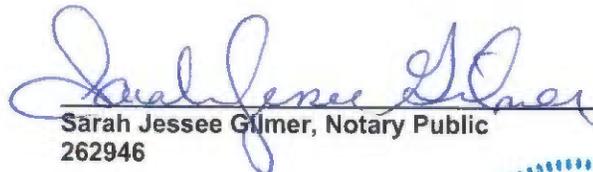
DONE AND PERFORMED this 8 day of July, 2021 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 8th day of July, 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 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



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas LLC for Pooling of Interests in Unit I-37
 VGOB 21-0420-4238 (08-0715-2281 – Prior Order) 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 April 20, 2021, 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 Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, 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 May 20, 2021;

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:

None

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of May 20, 2021;

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 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Cedar Bluff, Virginia, this 28th day of June, 2021.

Sherri R. Scott
Sherri R. Scott

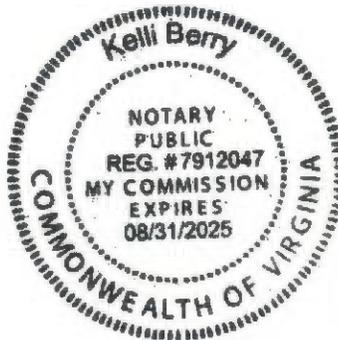
STATE OF VIRGINIA
COUNTY OF TAZEWELL

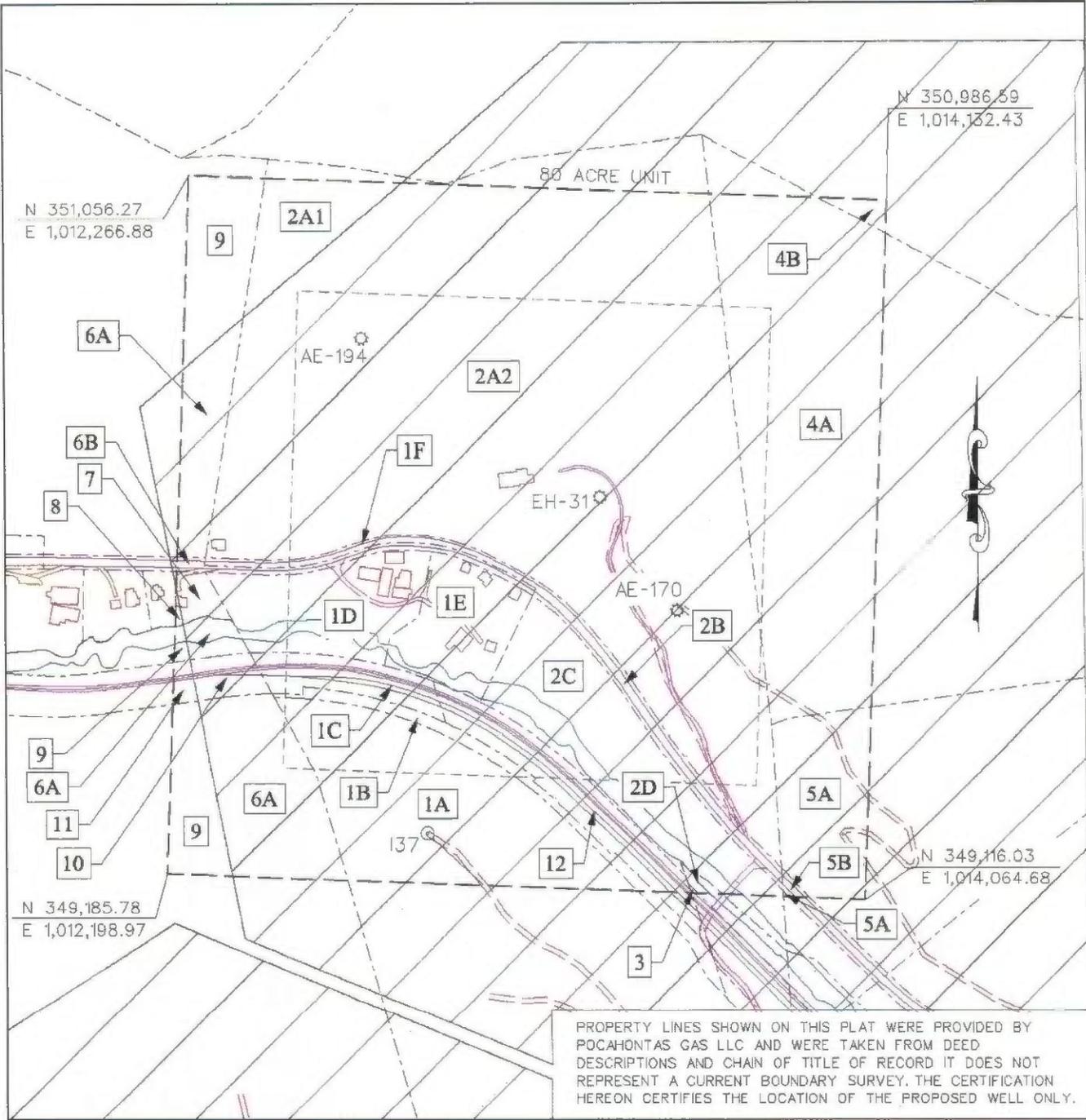
Taken, subscribed and sworn to before me by Sherri R. Scott as a Manager – Land Records, Division Orders, & Pooling for CNX Resources

on behalf of the corporate Designated Operator, this 28th day of June, 2021.

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
- RETAINED ACRES

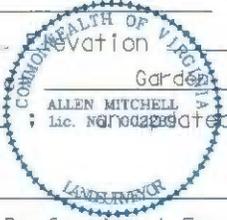
EXHIBIT A
 OAKWOOD FIELD
 UNIT 137
 FORCE POOLING
 VGOB-21-0420-4238

Company POCAHONTAS GAS LLC Well Name and Number UNIT 137

Tract No. _____ Quadrangle _____

County Buchanan District Garden Scale: 1" = 50'

This plat is a new plat or a revised plat



ALLEN MITCHELL
 Digitally signed by
ALLEN MITCHELL
 Date: 2021.03.24
 07:44:45 -0400

Form DGO-GO-7
 Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

**Pocahontas Gas LLC
UNIT I37
Tract Identifications**

210000907

1. Buchanan Mining Company LLC – Coal
Revelation Energy, LLC – Coal Above Tiller Seam Leased
Pocahontas Gas LLC – Oil, Gas, and CBM
Appalachian Energy, Inc – Oil and Gas Leased (retained acres)
Appalachian Energy, Inc – CBM Leased (deemed leased via JOA)
13.23 Acres 16.5375%

- 1A. Buchanan Mining Company LLC – Surface
- 1B. Norfolk Southern Railway Company – Surface
- 1C. Norfolk Southern Railway Company – Surface
- 1D. Unknown Surface Owner
- 1E. Unknown Surface Owner
- 1F. Commonwealth of Virginia SR 638 – Surface

- 2A1. Peggy Cole – Minerals
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Appalachian Energy, Inc. – Oil and Gas Leased
Appalachian Energy, Inc. –CBM Leased (deemed lease via JOA)
Peggy Cole – Surface
1.55 Acres 1.9375%

- 2A2. Peggy Cole – Minerals
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Appalachian Energy, Inc. – Oil and Gas Leased (retained Acres)
Appalachian Energy, Inc. –CBM Leased (deemed lease via JOA)
39.98 Acres 49.9750%

- 2A2. Peggy Cole – Surface
- 2B. Commonwealth of Virginia SR 638 – Surface
- 2C. Whitewood Volunteer Fire Department, Inc. – Surface
- 2D. Norfolk Southern Railway Company - Surface

3. Norfolk Southern Railway Company – Fee except Coal 800 Feet Below the Surface
Buchanan Mining Company LLC – Coal Below 800 Feet
Pocahontas Mining LLC – CBM Leased
0.01 Acres 0.0125%

4. Katherine Cole, et al (114-acre tract) – Minerals
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Revelation Energy, Inc. – Jewell and Jawbone Seams of Coal Leased
Appalachian Energy, Inc. – Oil and Gas Leased (retained acres)
Pocahontas Gas LLC – CBM Leased
11.71 Acres 14.6375%

"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 137

210000907

Tract Identifications

- 4A. Unknown Surface Owner
4B. Unknown Surface Owner
5. Caroline Keen, et al (79.10 Acre Tract) – Coal except 1/9 in P3 seam and 8/9 in Jawbone Seam
Buchanan Mining Company LLC – P3 Seam of Coal (1/9)
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Revelation Energy, Inc. – Jawbone Seam of Coal (8/9)
Revelation Energy, Inc. – Above Drainage Coal Leased Except Jawbone and P3 Seam
Caroline Keen, et al – Oil and Gas
Appalachian Energy, Inc. – Oil and Gas Leased (retained Acres)
Appalachian Energy, Inc. – CBM Leased (81.481480%)
Pocahontas Gas LLC – CBM Leased (12.83951%)
2.76 Acres 3.4500%
- 5A. Caroline Keen, et al – Surface
5B. Commonwealth of Virginia SR 638 – Surface
6. Caroline Keen, et al (164.56-acre tract) – All minerals Except Jawbone and 1/9 in P3 Seam
Buchanan Mining Company LLC – 1/9 P3 Seam of Coal
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Revelation Energy, Inc. – Jawbone Seam of Coal
Revelation Energy, Inc. – Above Drainage Coal Leased
Appalachian Energy, Inc. – Oil and Gas Leased (retained Acres)
Appalachian Energy, Inc. – CBM Leased (70.9877%) (deemed leased via JOA)
Pocahontas Gas LLC – CBM Leased (14.5432%)
4.89 Acres 6.1125%
- 6A. Caroline Keen, et al – Surface
6B. Commonwealth of Virginia SR 638 – Surface
7. Buchanan Mining Company LLC – Coal
Pocahontas Gas LLC – Oil, Gas, and CBM
Appalachian Energy, Inc. – Oil and Gas Leased (retained acres)
CNX Gas Company LLC – Surface
0.32 Acres 3.9625%
8. Buchanan Mining Company LLC – Coal
Pocahontas Gas LLC – Oil, Gas, and CBM
CNX Gas Company LLC – Surface
0.02 Acres 0.0250%

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**Pocahontas Gas LLC
UNIT I37
Tract Identifications**

210000907

9. Caroline Keen, et al (164.56-acre tract) – All minerals Except Jawbone and 1/9 in P3 Seam
Buchanan Mining Company LLC – 1/9 P3 Seam of Coal
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased
Revelation Energy, Inc. – Jawbone Seam of Coal
Revelation Energy, Inc. – Above Drainage Coal Leased
Appalachian Energy, Inc. – Oil and Gas Leased (95.4321%)
Appalachian Energy, Inc. – CBM Leased (70.9877%) (deemed leased via JOA)
Pocahontas Gas LLC – CBM Leased (14.5432%)
3.17 Acres 3.9625%

10. Norfolk Southern Railway Company – Fee less Coal Below 800 Feet
Caroline Cole Keen, et al (164.56-acre tract) – Coal Below 800 Feet
Buchanan Mining Company LLC – 1/9 in P3 seam
Buchanan Mining Company LLC – Below Drainage Coal Leased
Revelation Energy, Inc. – Jawbone
Revelation Energy, Inc. – Above Drainage Coal Leased
Appalachian Energy, Inc. – Oil and Gas Leased (retained acres)
Pocahontas Gas LLC – CBM Leased
0.46 Acres 0.5750%

11. Norfolk Southern Railway Company – Fee less Coal Below 800 Feet
Caroline Cole Keen, et al (164.56-acre tract) – Coal Below 800 Feet
Buchanan Mining Company LLC – 1/9 in P3 seam
Buchanan Mining Company LLC – Below Drainage Coal Leased
Revelation Energy, Inc. – Jawbone
Revelation Energy, Inc. – Above Drainage Coal Leased
Pocahontas Gas LLC – CBM Leased
0.14 Acres 0.1750%

12. Norfolk Southern Railway Company – Fee except coal 800 feet below the Surface
Buchanan Mining Company LLC – Coal Below 800 Feet
Pocahontas Gas LLC – CBM Leased
1.76 Acres 2.2000%

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Exhibit B3
Unit 137
Docket # VGDB 21-0420-4238
List of all unleased Owners/Claimants
CNX / AE (JOA Area)

210000907

	Acres In Unit	Percent of Unit	Div. of Int. in 12 East Panel
II. OIL & GAS OWNERSHIP			
Tract #5 - 2.76 Acres			
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> 79.10 Acre Tract	2.76 acres**	3.4500%	0.0097%
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns			
(i) Nannie Garnett Cole Cooper Heirs, Devisees, Successors or Assigns (1/9)			
(i.9) Thurman Gerald Cooper Heirs, Devisees, Successors or Assigns (1/81)			
(i.9.1) Bruce Michael Cooper Heirs, Devisees, Successors or Assigns			
(i.9.1.1) Teena Cooper P.O. Box 131 North Tazewell, VA 24630	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
(i.9.2) Rita Gail Cooper 970 Hillman Highway NE, Lot 13 Abingdon, VA 24210	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
(i.9.3) Thelma Cooper Mullins 179 Bay Road Richlands, VA 24641	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
(i.9.4) Teresa Lynn Rogers PO Box 1717 Richlands, VA 24641	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
(i.9.5) Thurman G. Cooper, Jr. 17215 Dismal River Rd Whitewood, VA 24657	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
(i.9.6) Terry Allen Cooper 17216 Ian Lane, Lot #10 Abingdon, VA 24210	0.0057 acres 1/486 of 2.76 acres	0.0071%	0.0000%
** NOTE: Retained acres under Appalachian Energy lease of Oil & Gas. (Deemed leased by AEI JOA)			
	Total Tract Acres	0.0341	
	Total Tract Percentage	0.0426%	
Tract #6 - 4.89 Acres			
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> (164.56 Acre Tract)	4.89 acres**	6.1125%	0.0172%
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns			
(d) Leonard P. Cole (1/9) <i>Interest conveyed to B. W. McDonald and Lena McDonald by deed dated 6/14/72 (DB 207-254)</i>			
(d.1) B. W. McDonald Heirs, Devisees, Successors or Assigns			
(d.1.1) B.W. McDonald Testamentary Trust PO Box 999 Prestonsburg, KY 41653	0.163 acres 1/30 of 4.89 acres	0.2038%	0.0006%
** NOTE: Retained acres under Appalachian Energy, Inc. lease of Oil & Gas.			
	Total Tract Acres	0.1630	
	Total Tract Percentage	0.2038%	
Tract #9 - 3.17 Acres			
Caroline Cole Keen, et al. <i>(Caroline Cole Gregory Heirs, Devisees, Successors or Assigns)</i> (164.56 Acre Tract)	3.17 acres	3.9625%	0.0112%
(1) Caroline Cole Gregory Heirs, Devisees, Successors or Assigns			
(d) Leonard P. Cole (1/9) <i>Interest conveyed to B. W. McDonald and Lena McDonald by deed dated 6/14/72 (DB 207-254)</i>			

210000907

Exhibit B3
Unit 137
Docket # VGOB 21-0420-4238
List of all unleased Owners/Claimants
CNX / AE (JOA Area)

	Acres in Unit	Percent of Unit	Div. of Int. in 12 East Panel
(d.1) B. W. McDonald Heirs, devisees, Successors or Assigns			
(d.1.1) B.W. McDonald Testamentary Trust PO Box 999 Prestonsburg, KY 41653	0.106 acres 1/30 of 3.17 acres	0.1321%	0.0004%
Total Tract Acres	0.1057		
Total Tract Percentage	0.1321%		

TOTAL UNLEASED OIL & GAS ESTATE

Acres 0.3027
Percentage 0.3784%

INSTRUMENT 210000907
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
JULY 20, 2021 AT 02:22 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: CXE