

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Pocahontas Gas LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 01-0320-0874-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1, 2A (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: September 17, 2019

DRILLING UNIT: AX113

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, attributable to Tracts 1 and 2A, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to: Buckhorn Coal Company and CNX Gas Company LLC, T Shea Cook, Catherine D. O'Brien, and John Keene (3) Dismissal of coal owner(s): Buckhorn Coal Company.

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. Buckhorn Coal Company and CNX Gas Company LLC have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1, further, specifies how said royalties are to be divided and paid.
- b. CNX Gas Company LLC is entitled to 100% of the CBM royalties awarded under Case No. 16-1165, Opinion dated July 3, 2019. Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto, as well as making a payment to each attorney on behalf of their clients (Paragraph B, Items 6 thru 9 of referenced order); T. Shea Cook (Item 6; \$100,000.00 and Item 7; \$50,000.00), Catherine D. O'Brien (Item 8; \$180,000.00), and John Keene (Item 9; \$100,000.00 (paying \$85,000.00 of Item 9 with this docket and the remaining \$15,000 will be paid out of docket 0915-04), with the remaining balance in escrow to be paid to CNX Gas Company LLC pursuant to Item 10 of referenced order; remainder of Item 9 to be paid from additional escrow accounts, and the annexed Table 1, further, specifies how said royalties are to be paid.
- c. That Pocahontas Gas LLC (formerly CNX Gas Company LLC) has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. 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.
- g. 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 CNX Gas Company LLC and 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 CONSOL INC. AND WERE NOT SURVEYED.

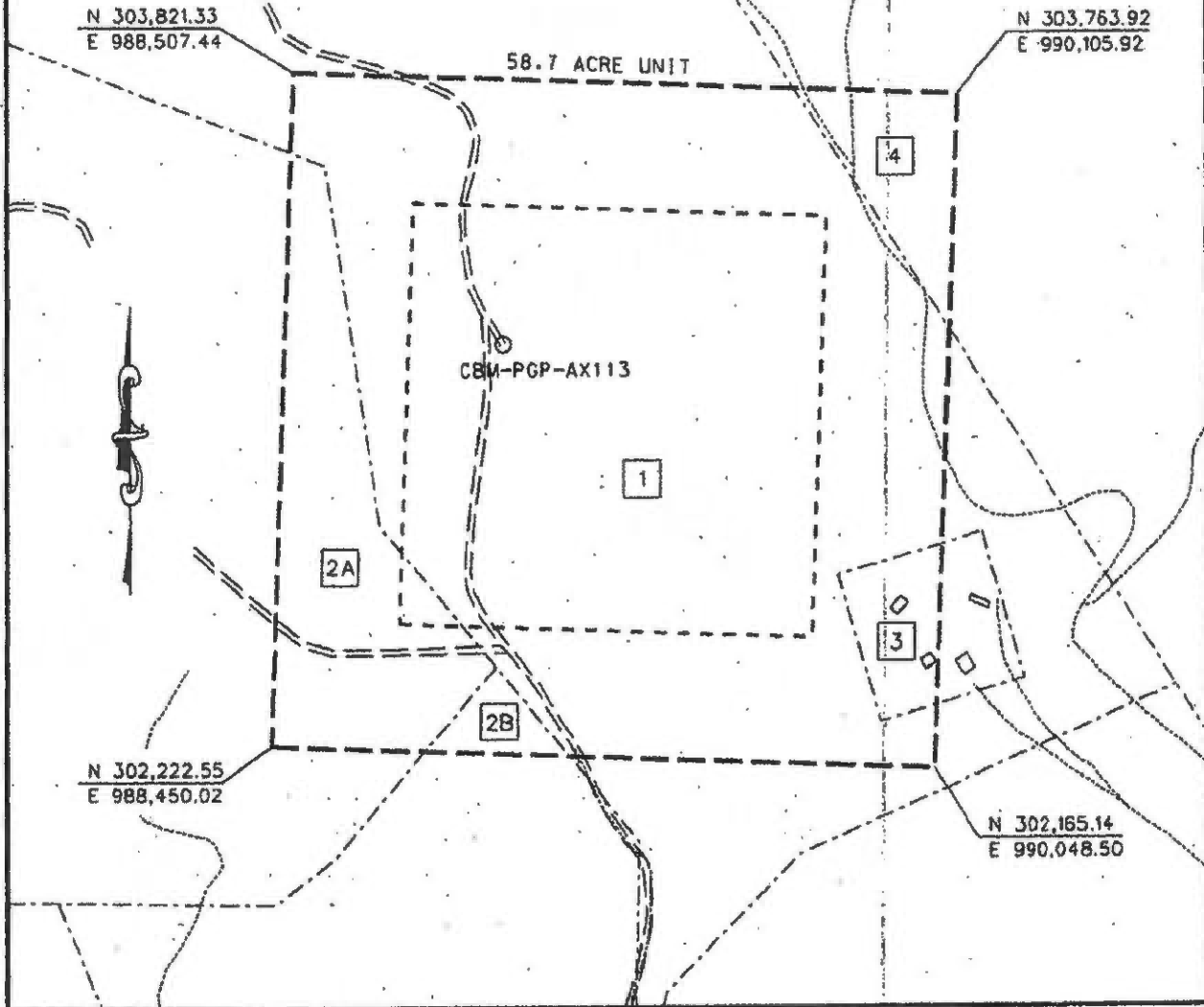


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AX-113
FORCE POOLING
VG08-01-0320-0874

Company Pocahontas Gas Partnership Well Name and Number UNIT AX113
Tract No. _____ Elevation _____ Quadrangle Honaker
County Russell District New Garden Scale: 1" = 400' Date 4/3/01
This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGD-GO-7
Rev. 9/91

Charles D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP

Unit AX-113

Tract Identifications

(58.7 Acre Tract)

1. Buckhorn Coal Company (Corns & Fletcher Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Heirs, Devisees, Successors or Assigns of B. W. Stras, et al. or Heirs, Devisees,
Successors or Assigns of S. J. Corn and Susan E. Corn or Heirs, Devisees,
Successors or Assigns of David Keene or Pocahontas Gas Partnership,
Swain Perkins, Frances Forbes or Harvey Lincous Perkins
and Dorothy Perkins - Oil & Gas
Dottie Gay Robinette Miller - Surface
45.44 acres 77.4105 %
- 2A. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Earl White or Heirs, Devisees, Successors or Assigns of Dr. L. M. Harrison -
1/8th of Surface, Oil & Gas
Ellen Brown Heirs - 7/8th of Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas, and CBM Leased
8.32 acres 14.1738 %
- 2B. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
H. C. Bostic Coal Company, Inc. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
0.83 acres 1.4140 %
3. Dottie Gay Robinette Miller - Fee (Except Red Ash and Jawbone Coal Seams)
Knox Creek Coal Corp. - Red Ash and Jawbone Coal Seams
Pocahontas Gas Partnership - Oil, Gas & CBM Leased
1.64 acres 2.7939 %
4. Buckhorn Coal Company Tr. 7 - Fee
Consolidation Coal Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased Except Kennedy Seam
H. C. Bostic Coal Company, Inc. - Kennedy Seam Leased
Pocahontas Gas Partnership - CBM Leased
Reserve Coal Properties Company - Oil & Gas Leased
2.47 acres 4.2078 %

VGOB Disbursement

Unit AX113

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Table 1 (pay exact dollar amount)

1, 2A

			Account	Fractional	Net Acreage	Royalty	Escrowed	Percent of	Disbursement
			Balance	Interest	Interest	Split	Acres	Escrowed Funds	
			Date	in Tract	inTract	Agreement	Disbursed	Disbursed	
Item	Tract	Disbursement Table							
		Total acreage in escrow before disbursement					45.44000		
1 Tract 1 (total acreage)			45.4400						
1	1	T. Shea Cook\PO Box 507 Richlands VA 24641	4/30/2019		45.4400	100.00%	45.4400	100.0000 %	\$100,000.00
2	1	T. Shea Cook\PO Box 507 Richlands VA 24641	4/30/2019		45.4400	100.00%	45.4400	100.0000 %	\$50,000.00
3	1	Catherine D. O'Brien\Gillespie, Hart, Altizer & Whitesell, P.C. 179 Main Street Tazewell VA 24651	4/30/2019		45.4400	100.00%	45.4400	100.0000 %	\$180,000.00
4	1	John Keene\Cooke Shortt & Keene PLLC PO Box 749 Cedar Bluff VA 24609	4/30/2019		45.4400	100.00%	45.4400	100.0000 %	\$85,000.00

VGOB Disbursement
Unit AX113

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Table 2 (pay percentage on balance after deducting the above balance)
1, 2A

			Fractional	Net Acreage	Royalty	Escrowed	Percent of	Adjusted	Disbursement
			Interest	Interest	Split	Acres	Escrowed Funds	Amount	
			in Tract	inTract	Agreement	Disbursed	Disbursed		
Item	Tract	Disbursement Table							
		Total acreage in escrow before disbursement				53.76000			
1 Tract 1 (total acreage)			45.4400						
1	1	CNX Gas Company LLC\PO Box 643830 Pittsburgh PA 15264		45.4400	100.00%	45.4400	84.5238%	415000.00	\$2,949.51
2A Tract 2A (total acreage)			8.3200						
1	2A	Buckhorn Coal Company\PO Box 187 Tazewell VA 24651		8.3200	50.00%	4.1600	7.7381%		\$38,262.98
2	2A	CNX Gas Company LLC\PO Box 643830 Pittsburgh PA 15264		8.3200	50.00%	4.1600	7.7381%		\$38,262.98

Adjustment Comments: Per order entered as CL-16-1165 dated July 3, 2019, escrow agent will cause to be delivered to the named recipients, the amounts above, as settlement and release of all ownership claims of the claimants in the referenced order. Escrow agent will deduct the total of \$415,000 paid above from current balance due for Tract 1 and pay the difference to CNX Gas Company LLC

Wells contributing to the escrow account: CBM AX113 W/PL, CBM AX113A W/PL

Exhibit E
CBM AX113
Docket # VGOB-01-0320-0874-02
List of Respondents that require escrow
(58.70 Acre Unit)

Acres in Unit	Interest in Unit
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Escrowing no longer required

Exhibit EE
CBM AX113
Docket # VGOB-01-0320-0874-02
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

		Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1, 45.44 acres</u>				
<u>COAL OWNERSHIP</u>				
(1)	Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	45.44 acres	77.4106%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1)	CNX Gas Company LLC*** 1000 Consol Energy Drive Canonsburg, PA 15317-6506	45.44 acres	77.4106%	84.5238% Court Order
<i>Pursuant to Case 16-1165, Order entered July 3, 2019, a settlement has been reached amongst parties with potential ownership and CNX Gas Company LLC. All amounts in escrow are to be delivered to David Grant Altizer for delivery to the attorneys and parties, as set forth in the Order. In exchange, the plaintiffs will execute deeds for all potential interests to CNX Gas Company LLC, with the result being that CNX Gas Company LLC owns 100% of the gas and oil under the 55.5 acre tract.</i>				
**See Table 1 for escrow payout directions as outlined in July 3, 2019 Order				
***Items 6 thru 9 of paragraph B to be paid from Unit AX113 escrow account:				
	6 T. Shea Cook on behalf of the Plaintiffs	\$100,000.00		
	7 T. Shea Cook on behalf of Swain Perkins	\$50,000.00		
	8 Catherine D. O'Brien on behalf of Stras and White Hei	\$180,000.00		
	9 John Keene on behalf of the previously unknown heirs of Alta Perkins	\$85,000.00	(remaining \$15,000.00 to be paid from additional escrow accounts for Item 9)	
*** Remaining balance of escrow account to be paid to CNX Gas Company LLC pursuant to Item 10				
<u>Tract #2A, 8.32 acres</u>				
<u>COAL OWNERSHIP</u>				
(1)	Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	8.32 acres	14.1738%	7.7381% Royalty Division Agreement
<u>OIL & GAS OWNERSHIP</u>				
(1)	CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317-6506	8.32 acres	14.1738%	7.7381% Royalty Division Agreement
<u>Tract #2B, 0.83 acres</u>				
<u>COAL OWNERSHIP</u>				
(1)	Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	0.83 acres	1.4140%	n/a
<u>OIL & GAS OWNERSHIP</u>				
(1)	H.C. Bostic Coal Company, Inc. P.O. Box 220 Swords Creek, VA 24649	0.83 acres	1.4140%	n/a
Total Acres Resolved		54.5900		
Total Percentage Resolved		92.9983%		

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10/25/2006	2632	\$3,258.50
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10/31/2006	\$3,258.50	\$808.39				\$0.00				\$808.39	\$218,256.93	\$217,449.85	\$807.08
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Exhibit J
Unit AX113 Escrow Account Reconciliation
VGOB 01-0320-0874

CNX Deposit Information		
Issue Date	Check Number	Check Amount
11/25/2006	4061	\$2,658.76
12/25/2006	5639	\$1,724.38
1/25/2007	6889	\$2,004.41
1/31/2007	8174	\$1,173.30
2/25/2007	9292	\$3,833.58
3/25/2007	10827	\$2,671.24
4/25/2007	12271	\$2,904.91
5/25/2007	13739	\$3,550.03
6/25/2007	15893	\$3,448.09
7/25/2007	17357	\$3,570.24
8/25/2007	18841	\$3,535.41
9/25/2007	20441	\$3,276.01
10/25/2007	22009	\$2,849.11
11/25/2007	24197	\$2,429.48
12/25/2007	25433	\$3,078.27
1/25/2008	27030	\$3,510.56
2/25/2008	28677	\$3,566.69
3/25/2008	30112	\$4,038.45
4/25/2008	31753	\$3,753.35
5/25/2008	33337	\$4,439.19
6/25/2008	35045	\$4,249.20
7/25/2008	36820	\$5,040.74
8/25/2008	38604	\$6,212.68
9/25/2008	40417	\$9,243.02
10/25/2008	42533	\$6,100.43
11/25/2008	45330	\$4,874.29
12/25/2008	48031	\$4,300.37
1/25/2009	49572	\$4,006.40
2/25/2009	52910	\$4,326.28
3/25/2009	54780	\$3,681.47
4/25/2009	56280	\$2,301.06
5/25/2009	57892	\$2,089.03
6/25/2009	59205	\$1,694.95
7/25/2009	60670	\$1,571.03
8/25/2009	62135	\$1,625.21
9/25/2009	63630	\$1,940.60
10/25/2009	65094	\$1,509.78
11/19/2009	67766	\$1,086.46
12/18/2009	69199	\$1,745.14
1/18/2010	70560	\$2,089.82
2/22/2010	72257	\$2,210.43
3/22/2010	73908	\$3,148.37
4/20/2010	75673	\$2,475.71
5/19/2010	77430	\$2,337.22
6/21/2010	78904	\$1,572.89
7/20/2010	80600	\$1,875.04
8/20/2010	82224	\$1,815.72
9/22/2010	83842	\$2,043.11
10/19/2010	86638	\$2,237.30
11/19/2010	89431	\$1,496.82
12/20/2010	91139	\$1,589.31
1/20/2011	92474	\$1,271.45
2/24/2011	94168	\$1,829.21
3/21/2011	95719	\$1,855.93
4/20/2011	97479	\$1,702.22
5/19/2011	99071	\$1,530.41
6/21/2011	100715	\$1,637.88
7/19/2011	1209	\$1,740.89
8/19/2011	3064	\$1,795.24
9/19/2011	4593	\$1,946.49
10/13/2011	7656	\$1,872.96
11/14/2011	9204	\$1,599.37
12/15/2011	10807	\$1,408.28

Escrow Bank Data													
Date	Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Total Int. and Fees	Ending Mkt Value	Running Balance	Difference
11/30/2006	\$2,658.76	\$841.81			(\$14.77)	\$0.00				\$827.04	\$221,742.73	\$220,935.65	\$807.08
										\$0.00		\$222,660.03	-\$222,660.03
1/31/2007	\$2,004.41	\$819.55				\$0.00				\$819.55	\$227,034.23	\$225,483.99	\$1,550.24
2/28/2007	\$0.00	\$795.33				\$0.00				\$795.33	\$227,829.56	\$227,452.62	\$376.94
3/31/2007	\$5,006.88	\$746.89				\$0.00				\$746.89	\$233,583.33	\$232,033.09	\$1,550.24
										\$0.00		\$234,704.33	-\$234,704.33
4/30/2007	\$5,576.15	\$870.05				\$0.00				\$870.05	\$240,029.53	\$238,479.29	\$1,550.24
5/31/2007	\$3,550.03	\$818.01				\$0.00				\$818.01	\$244,397.57	\$242,847.33	\$1,550.24
6/30/2007	\$0.00	\$865.33				\$0.00				\$865.33	\$245,262.90	\$247,160.75	-\$1,897.85
7/31/2007	\$7,018.33	\$1,707.46				\$0.00				\$1,707.46	\$253,134.96	\$252,438.45	\$696.51
8/31/2007	\$3,535.41	\$858.41				\$0.00				\$858.41	\$257,528.78	\$256,832.27	\$696.51
9/30/2007	\$3,276.01	\$1,378.94				\$0.00				\$1,378.94	\$262,183.73	\$261,487.22	\$696.51
10/31/2007	\$0.00	\$878.55				\$0.00				\$878.55	\$263,062.28	\$265,214.88	-\$2,152.60
11/30/2007	\$5,278.59	\$918.04				\$0.00				\$918.04	\$269,258.91	\$268,562.40	\$696.51
12/31/2007	\$3,078.27	\$857.10				\$0.00				\$857.10	\$273,194.28	\$272,497.77	\$696.51
1/31/2008	\$3,510.56	\$691.71				\$0.00				\$691.71	\$277,396.55	\$276,700.04	\$696.51
2/29/2008	\$3,566.69	\$594.99				\$0.00				\$594.99	\$281,558.23	\$280,861.72	\$696.51
3/31/2008	\$4,038.45	\$527.29				\$0.00				\$527.29	\$286,123.97	\$285,427.46	\$696.51
4/30/2008	\$3,753.35	\$400.51				\$0.00				\$400.51	\$290,277.83	\$289,581.32	\$696.51
5/31/2008	\$4,439.19	\$334.09				\$0.00				\$334.09	\$295,051.11	\$294,354.60	\$696.51
6/30/2008	\$4,249.20	\$337.42				\$0.00				\$337.42	\$299,637.73	\$298,941.22	\$696.51
7/31/2008	\$5,040.74	\$329.89				\$0.00				\$329.89	\$305,008.36	\$304,311.85	\$696.51
8/31/2008	\$6,212.68	\$427.07				\$0.00				\$427.07	\$311,648.11	\$310,951.60	\$696.51
9/30/2008	\$9,243.02	\$388.48				\$0.00				\$388.48	\$321,279.61	\$320,583.10	\$696.51
10/31/2008	\$6,100.43	\$320.90				\$0.00				\$320.90	\$327,700.94	\$327,004.43	\$696.51
11/30/2008	\$4,874.29	\$431.55				\$0.00				\$431.55	\$333,006.78	\$332,310.27	\$696.51
12/31/2008	\$4,300.37	\$177.09				\$0.00				\$177.09	\$337,484.24	\$336,787.73	\$696.51
1/1/2009	\$0.00	\$16.44				\$0.00				\$16.44	\$337,500.68	\$340,810.57	-\$3,309.89
2/28/2009	\$8,332.68	(\$30.74)				\$0.00				(\$30.74)	\$345,802.62	\$345,106.11	\$696.51
3/31/2009	\$3,681.47	\$85.04				\$0.00				\$85.04	\$349,569.13	\$348,872.62	\$696.51
4/30/2009	\$2,301.06	(\$54.98)				\$0.00				(\$54.98)	\$351,815.21	\$351,118.70	\$696.51
5/31/2009	\$2,089.03	(\$55.83)				\$0.00				(\$55.83)	\$353,848.41	\$353,151.90	\$696.51
6/30/2009	\$1,694.95	(\$57.88)				\$0.00				(\$57.88)	\$355,485.48	\$354,788.97	\$696.51
7/31/2009	\$1,571.03	(\$59.02)				\$0.00				(\$59.02)	\$356,997.49	\$356,300.98	\$696.51
8/31/2009	\$1,625.21	(\$34.30)				\$0.00				(\$34.30)	\$358,588.40	\$357,891.89	\$696.51
9/30/2009	\$1,940.60	(\$24.31)				\$0.00				(\$24.31)	\$360,504.69	\$359,808.18	\$696.51
10/31/2009	\$1,509.78	(\$28.55)				\$0.00				(\$28.55)	\$361,985.92	\$361,289.41	\$696.51
11/30/2009	\$1,086.46	(\$26.81)				\$0.00				(\$26.81)	\$363,045.57	\$362,349.06	\$696.51
12/31/2009	\$1,745.14	(\$101.23)				\$0.00				(\$101.23)	\$364,689.48	\$363,992.97	\$696.51
1/1/2010	\$2,089.82	\$67.89			\$0.00	\$0.00				\$67.89	\$366,737.96	\$366,150.68	\$587.28
2/1/2010	\$2,210.43	\$70.51			(\$29.51)	\$0.00				\$41.00	\$368,989.39	\$368,402.11	\$587.28
3/1/2010	\$3,148.37	\$78.46			(\$30.75)	\$0.00			\$0.00	\$47.71	\$372,185.47	\$371,598.19	\$587.28
4/1/2010	\$2,475.71	\$81.70			(\$31.02)	\$0.00				\$50.68	\$374,711.86	\$374,124.58	\$587.28
5/1/2010	\$2,337.22	\$74.56			(\$31.27)	\$0.00				\$43.33	\$377,092.41	\$376,505.13	\$587.28
6/1/2010	\$1,572.89	\$77.48			(\$31.42)	\$0.00	(\$331.39)			(\$285.33)	\$378,379.97	\$377,792.69	\$587.28
7/1/2010	\$1,875.04		\$78.13	\$10.80	(\$31.53)	\$0.00				\$57.40	\$380,312.41	\$379,725.13	\$587.28
8/1/2010	\$1,815.72		\$67.01	\$26.28	(\$31.69)	\$0.00				\$61.60	\$382,189.73	\$381,602.45	\$587.28
9/1/2010	\$2,043.11		\$62.60	\$37.13	(\$31.85)	\$0.00				\$67.88	\$384,300.72	\$383,713.44	\$587.28
10/1/2010	\$2,237.30		\$58.42	\$53.50	(\$32.03)	\$0.00	(\$417.21)			(\$337.32)	\$386,200.70	\$385,613.42	\$587.28
11/1/2010	\$1,496.82		\$50.44	\$66.71	(\$32.18)	\$0.00				\$84.97	\$387,782.49	\$387,195.21	\$587.28
12/1/2010	\$1,589.31		\$39.55	\$98.85	(\$32.32)	\$0.00	(\$334.60)			(\$228.52)	\$389,143.28	\$388,556.00	\$587.28
1/31/2011	\$1,271.45		\$40.62	\$130.47	(\$36.03)	\$0.00	(\$28.06)			\$107.00	\$390,521.73	\$389,934.45	\$587.28
2/28/2011	\$1,829.21		\$27.14	\$132.86	(\$32.54)	\$0.00	(\$103.33)			\$24.13	\$392,375.07	\$391,787.79	\$587.28
3/31/2011	\$1,855.93		\$23.10	\$158.21	(\$32.70)	\$0.00	(\$137.25)			\$11.36	\$394,242.36	\$393,655.08	\$587.28
4/30/2011	\$1,702.22		\$17.55	\$160.41	(\$32.85)	\$0.00	(\$111.19)			\$33.92	\$395,978.50	\$395,391.22	\$587.28
5/31/2011	\$1,530.41		\$17.41	\$168.62	(\$33.00)	\$0.00	(\$78.08)			\$74.95	\$397,583.86	\$396,996.58	\$587.28
6/30/2011	\$1,637.88		\$16.16	\$164.18	(\$33.13)	\$0.00	(\$92.84)	\$0.46		\$54.83	\$399,276.57	\$398,689.29	\$587.28
7/31/2011	\$1,740.89		\$16.91	\$170.01	(\$33.27)	\$0.00	(\$58.95)			\$94.70	\$401,112.16	\$400,524.88	\$587.28
8/30/2011	\$1,795.24		\$13.17	\$171.66	(\$33.43)	\$0.00	(\$154.93)			(\$3.53)	\$402,903.87	\$402,316.59	\$587.28
9/30/2011	\$1,946.49		\$15.64	\$167.43	(\$33.58)	\$0.00	(\$79.77)			\$69.72	\$404,920.08	\$404,332.80	\$587.28
10/31/2011	\$1,872.96		\$13.38	\$177.12	(\$33.74)	\$0.00	(\$123.83)			\$32.93	\$406,825.97	\$406,238.69	\$587.28
11/30/2011	\$1,599.37		\$12.90	\$175.20	(\$33.90)	\$0.00	(\$104.56)			\$49.64	\$408,474.98	\$407,887.70	\$587.28
12/31/2011	\$1,408.28		\$12.95	\$185.19	(\$34.04)	\$0.00	(\$73.88)			\$90.22	\$409,973.48	\$409,386.20	\$587.28

Exhibit J
Unit AX113 Escrow Account Reconciliation
VGOB 01-0320-0874

CNX Deposit Information		
Issue Date	Check Number	Check Amount
1/18/2012	12351	\$1,166.64
2/20/2012	14106	\$1,172.64
3/20/2012	15630	\$1,048.78
4/20/2012	17275	\$779.15
5/21/2012	18829	\$690.42
6/20/2012	19942	\$480.00
7/25/2012	24319	\$470.75
8/23/2012	0214000316	\$620.36
9/24/2012	0214002122	\$774.51
10/22/2012	0214005719	\$831.50
11/20/2012	0214011329	\$653.55
12/19/2012	0214016587	\$929.36
1/22/2013	0214021849	\$1,125.70
2/20/2013	E000003910	\$1,159.84
3/20/2013	E000005020	\$947.00
4/22/2013	E000006102	\$798.69
5/21/2013	E000007288	\$976.67
6/20/2013	E000008603	\$1,113.79
7/22/2013	E000010004	\$1,194.06
8/20/2013	E000011348	\$1,172.61
9/20/2013	E000012656	\$1,063.19
10/21/2013	E000015866	\$1,001.43
11/19/2013	E000016957	\$1,041.32
12/18/2013	E000018322	\$873.13
1/21/2014	E000019670	\$894.17
2/24/2014	E000021153	\$981.58
3/20/2014	E000022531	\$1,454.92
4/22/2014	E000024520	\$1,566.15
5/19/2014	E000026240	\$1,311.89
6/20/2014	E000027856	\$1,093.30
7/18/2014	E000029816	\$1,186.34
8/21/2014	E000031570	\$1,084.40
9/18/2014	E000033451	\$1,104.01
10/20/2014	E000037289	\$921.76
11/19/2014	E000038828	\$844.95
12/22/2014	E000040620	\$830.66
1/20/2015	E000042439	\$762.53
2/19/2015	E000044464	\$969.89
3/19/2015	E000046267	\$690.62
4/21/2015	E000048179	\$608.09
5/20/2015	E000050980	\$567.94
6/23/2015	E000052967	\$349.84
7/20/2015	E000054920	\$372.58
8/24/2015	E000056914	\$431.58
9/22/2015	E000058834	\$454.28
10/22/2015	E000063176	\$472.98
		\$0.00
		\$0.00
		\$0.00
		\$0.00
3/22/2016	E000072310	\$1,630.38
4/20/2016	E000074273	\$284.98
5/23/2016	E000075933	\$161.26
6/22/2016	E000077758	\$144.35
7/21/2016	E000079483	\$212.55
8/23/2016	E000081290	\$204.54
9/22/2016	E000083228	\$458.41
10/24/2016	E000085104	\$389.43
11/21/2016	E000089273	\$449.77
12/21/2016	E000090979	\$466.22
1/24/2017	E000092794	\$450.70
2/22/2017	E000094718	\$635.13

Escrow Bank Data													
Date	Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Total Int. and Fees	Ending Mkt Value	Running Balance	Difference
1/31/2012	\$1,166.64		\$14.27	\$186.24	(\$34.16)	\$0.00	(\$138.08)			\$28.27	\$411,168.39	\$410,581.11	\$587.28
2/28/2012	\$1,172.64		\$11.04	\$172.97	(\$34.26)		(\$71.15)			\$78.60	\$412,419.63	\$411,832.35	\$587.28
3/31/2012	\$1,048.78		\$12.06	\$184.74	(\$34.37)		(\$57.77)			\$104.66	\$413,573.07	\$412,985.79	\$587.28
4/30/2012	\$779.15		\$9.18	\$175.58	(\$34.46)		(\$72.86)			\$77.44	\$414,429.66	\$413,842.38	\$587.28
5/31/2012	\$690.42		\$6.32	\$182.01	(\$34.54)		(\$29.56)			\$124.23	\$415,244.31	\$414,657.03	\$587.28
6/30/2012	\$480.00		\$5.09	\$182.47	(\$34.60)		(\$46.06)			\$106.90	\$415,831.21	\$415,243.93	\$587.28
7/31/2012			\$5.76	\$176.76	(\$34.65)		(\$30.53)			\$117.34	\$415,948.55	\$415,832.02	\$116.53
8/31/2012	\$1,091.11		\$6.02	\$159.53	(\$34.66)		(\$155.29)			(\$24.40)	\$417,015.26	\$416,427.98	\$587.28
9/30/2012			\$4.39	\$147.71	(\$34.75)		(\$41.26)			\$76.09	\$417,091.35	\$417,278.58	-\$187.23
10/31/2012	\$1,606.01		\$4.31	\$148.25	(\$34.76)					\$66.23	\$418,763.59	\$418,176.31	\$587.28
11/30/2012	\$653.55		\$3.93	\$133.76	(\$34.90)		(\$41.36)			\$61.43	\$419,478.57	\$418,891.29	\$587.28
12/31/2012	\$929.36		\$3.81	\$118.51	(\$34.96)		(\$49.23)			\$38.13	\$420,446.06	\$419,858.78	\$587.28
1/31/2013	\$1,125.70		\$3.81	\$104.75	(\$35.04)		(\$37.61)			\$35.91	\$421,607.67	\$421,020.39	\$587.28
2/28/2013	\$1,159.84		\$2.16	\$97.29	(\$35.13)		(\$65.62)			(\$1.30)	\$422,766.21	\$422,178.93	\$587.28
3/31/2013	\$947.00		\$2.43	\$103.80	(\$35.23)		(\$41.97)			\$29.03	\$423,742.24	\$423,154.96	\$587.28
4/30/2013	\$798.69		\$1.75	\$98.09	(\$35.31)					\$64.53	\$424,605.46	\$424,018.18	\$587.28
5/31/2013	\$976.67		\$1.62	\$101.70	(\$35.38)					\$67.94	\$425,650.07	\$425,062.79	\$587.28
6/30/2013	\$1,113.79		\$1.23	\$99.59	(\$35.47)		(\$42.31)			\$23.04	\$426,786.90	\$426,199.62	\$587.28
7/31/2013	\$1,194.06		\$0.92	\$103.41	(\$35.57)					\$68.76	\$428,049.72	\$427,462.44	\$587.28
8/31/2013	\$1,172.61		\$1.20	\$103.83	(\$35.67)					\$69.36	\$429,291.69	\$428,704.41	\$587.28
9/30/2013	\$1,063.19		\$1.22	\$100.52	(\$35.77)					\$65.97	\$430,420.85	\$429,833.57	\$587.28
10/31/2013	\$1,001.43		\$1.40	\$103.99	(\$35.87)					\$69.52	\$431,491.80	\$430,904.52	\$587.28
11/30/2013	\$1,041.32		\$1.45	\$98.02	(\$35.96)					\$63.51	\$432,596.63	\$432,009.35	\$587.28
12/31/2013	\$873.13		\$1.12	\$101.30	(\$36.05)					\$66.37	\$433,536.13	\$432,948.85	\$587.28
1/31/2014	\$894.17		\$0.65	\$103.86	(\$36.13)					\$68.38	\$434,498.68	\$433,911.40	\$587.28
2/28/2014	\$981.58		\$0.67	\$95.13	(\$36.21)					\$59.59	\$435,539.85	\$434,952.57	\$587.28
3/31/2014	\$1,454.92		\$0.93	\$106.50	(\$36.30)					\$71.13	\$437,065.90	\$436,478.62	\$587.28
4/30/2014	\$1,566.15		\$0.75	\$103.92	(\$36.42)					\$68.25	\$438,700.30	\$438,113.02	\$587.28
5/31/2014	\$1,311.89		\$0.98	\$110.30	(\$36.56)					\$74.72	\$440,086.91	\$439,499.63	\$587.28
6/30/2014	\$1,093.30		\$0.71	\$107.72	(\$36.67)					\$71.76	\$441,251.97	\$440,664.69	\$587.28
7/31/2014	\$1,186.34		\$0.79	\$111.45	(\$36.77)					\$75.47	\$442,513.78	\$441,926.50	\$587.28
8/31/2014	\$1,084.40		\$0.94	\$111.81	(\$36.88)					\$75.87	\$443,674.05	\$443,086.77	\$587.28
9/30/2014	\$1,104.01		\$1.11	\$105.72	(\$36.87)					\$69.96	\$444,848.02	\$444,260.74	\$587.28
10/31/2014	\$921.76		\$1.19	\$109.95	(\$37.07)					\$74.07	\$445,843.85	\$445,256.57	\$587.28
11/30/2014	\$844.95		\$0.34	\$104.66	(\$37.15)					\$67.85	\$446,756.65	\$446,169.37	\$587.28
12/31/2014	\$830.66		\$0.94	\$89.38	(\$37.16)					\$53.16	\$447,640.47	\$447,053.19	\$587.28
1/31/2015	\$762.53		\$20.30	\$67.92	(\$37.30)					\$50.92	\$448,453.92	\$447,866.64	\$587.28
2/28/2015	\$969.89		\$31.75	\$46.74	(\$37.37)					\$41.12	\$449,464.93	\$448,877.65	\$587.28
3/31/2015	\$690.62		\$41.89	\$48.59	(\$37.46)					\$53.02	\$450,208.57	\$449,621.29	\$587.28
4/30/2015	\$608.09		\$46.31	\$30.40	(\$37.52)					\$39.19	\$450,855.85	\$450,268.57	\$587.28
5/31/2015	\$567.94		\$53.72	\$22.44	(\$37.57)					\$38.59	\$451,462.38	\$450,875.10	\$587.28
6/30/2015	\$349.84		\$52.38	\$21.82	(\$37.62)					\$36.58	\$451,848.80	\$451,261.52	\$587.28
7/31/2015	\$372.58		\$56.10	\$19.84	(\$37.65)					\$38.29	\$452,259.67	\$451,672.39	\$587.28
8/31/2015	\$431.58		\$59.52	\$8.56	(\$37.69)	\$0.00	\$0.00	\$0.00		\$30.39	\$452,721.64	\$452,134.36	\$587.28
9/30/2015	\$454.28		\$60.90	\$33.33	(\$37.73)	\$0.00	\$0.00	\$0.00		\$56.50	\$453,232.42	\$452,645.14	\$587.28
10/31/2015	\$472.98		\$69.07	\$0.96	(\$37.77)	\$0.00	\$0.00	\$0.00		\$32.26	\$453,737.66	\$453,150.38	\$587.28
11/30/2015	\$0.00		\$71.17	\$1.01	(\$37.81)	\$0.00	\$0.00	\$0.00		\$34.37	\$453,772.03	\$453,184.75	\$587.28
12/31/2015	\$0.00		\$73.44	\$34.53	(\$37.81)	\$0.00	\$0.00	\$0.00		\$70.16	\$453,842.19	\$453,254.91	\$587.28
1/31/2016	\$0.00		\$7.17	\$0.00	(\$37.82)	(\$6,900.22)	\$0.00	\$0.00		(\$30.65)	\$446,911.32	\$446,324.04	\$587.28
2/28/2016	\$0.00		\$74.50	\$0.00	(\$37.24)	\$0.00	\$0.00	\$0.00		\$37.26	\$446,948.58	\$446,361.30	\$587.28
3/31/2016	\$1,630.38		\$78.53	\$0.00	(\$37.25)	\$0.00	\$0.00	\$0.00		\$41.28	\$448,620.24	\$448,032.96	\$587.28
4/30/2016	\$284.98		\$76.00	\$0.00	(\$37.38)	\$0.00	\$0.00	\$0.00		\$38.62	\$448,943.84	\$448,356.56	\$587.28
5/31/2016	\$161.26		\$79.46	\$0.00	(\$37.41)	\$0.00	\$0.00	\$0.00		\$42.05	\$449,147.15	\$448,559.87	\$587.28
6/30/2016	\$144.35		\$68.23	\$43.86	(\$37.43)	\$0.00	\$0.00	\$0.00		\$74.66	\$449,366.16	\$448,778.88	\$587.28
7/31/2016	\$212.55		\$70.17	\$13.53	(\$37.45)	\$0.00	\$0.00	\$0.00		\$46.25	\$449,624.96	\$449,037.68	\$587.28
8/31/2016	\$204.54		\$71.42	\$13.68	(\$37.47)	\$0.00	\$0.00	\$0.00		\$47.63	\$449,877.13	\$449,289.85	\$587.28
9/30/2016	\$458.41		\$69.46	\$27.70	(\$37.49)	\$0.00	\$0.00	\$0.00		\$59.67	\$450,395.21	\$449,807.93	\$587.28
10/31/2016	\$389.43		\$68.82	\$14.00	(\$37.53)	\$0.00	\$0.00	\$0.00		\$45.29	\$450,829.93	\$450,242.65	\$587.28
11/30/2016	\$449.77		\$68.03	\$14.31	(\$37.57)	\$0.00	\$0.00	\$0.00		\$44.77	\$451,324.47	\$450,737.19	\$587.28
12/31/2016	\$466.22		\$72.70	\$58.34	(\$37.61)	\$0.00		\$0.00		\$93.43	\$451,884.12	\$451,296.84	\$587.28
1/31/2017	\$450.70		\$67.78	\$10.61	(\$37.66)	\$0.00	\$0.00	\$0.00		\$40.73	\$452,375.55	\$451,788.27	\$587.28
2/28/2017	\$635.13		\$63.55	\$9.94	(\$37.70)	\$0.00	\$0.00	\$0.00		\$35.79	\$453,046.47	\$452,459.19	\$587.28

Exhibit J
Unit AX113 Escrow Account Reconciliation
VGOB 01-0320-0874

CNX Deposit Information		
Issue Date	Check Number	Check Amount
3/22/2017	E000096333	\$845.99
4/24/2017	E000098004	\$571.11
5/23/2017	E000099631	\$497.14
6/21/2017	E000101277	\$414.29
7/21/2017	E000102924	\$726.95
8/24/2017	E000104616	\$923.85
9/20/2017	E000106229	\$967.16
10/23/2017	E000110619	\$783.39
11/21/2017	E000112054	\$924.07
12/21/2017	E000113573	\$958.09
1/23/2018	E000115242	\$1,109.61
2/21/2018	E000117114	\$1,446.08
3/21/2018	E000118960	\$1,793.94
4/20/2018	E000120854	\$1,547.82
5/21/2018	E000123765	\$1,891.07
6/21/2018	E000127783	\$154.38
7/20/2018	E000129053	\$1,040.46
8/23/2018	E000130361	\$1,060.88
9/21/2018	E000131709	\$1,163.78
10/23/2018	E000133799	\$1,052.97
11/21/2018	E000135100	\$1,012.49
12/19/2018	E000136444	\$1,013.43
1/24/2019	E000137809	\$1,264.03
2/22/2019	E000139302	\$1,982.03
3/21/2019	E000140774	\$1,511.32
4/24/2019	E000142206	\$959.24
5/22/2019	E000143597	\$939.78
6/21/2019	E000145038	\$753.95

Escrow Bank Data													
Date	Royalty Deposits	Income	\$ Mkt Int	CDARS Int	Fees	Distributions	Audit Costs	Corrections	Gain/Loss	Total Int. and Fees	Ending Mkt Value	Running Balance	Difference
3/31/2017	\$845.99		\$70.55	\$27.34	(\$37.75)	\$0.00	\$0.00	\$0.00		\$60.14	\$453,952.60	\$453,365.32	\$587.28
4/30/2017	\$571.11		\$69.12	\$11.10	(\$37.83)	\$0.00	\$0.00	\$0.00		\$42.39	\$454,566.10	\$453,978.82	\$587.28
5/31/2017	\$497.14		\$71.98	\$11.66	(\$37.88)	\$0.00	\$0.00	\$0.00		\$45.76	\$455,109.00	\$454,521.72	\$587.28
6/30/2017	\$414.29		\$71.02	\$28.87	(\$37.93)	\$0.00	\$0.00	\$0.00		\$61.96	\$455,585.25	\$454,997.97	\$587.28
7/31/2017	\$726.95		\$75.22	\$0.00	(\$37.97)	\$0.00	\$0.00	\$0.00		\$37.25	\$456,349.45	\$455,762.17	\$587.28
8/31/2017	\$923.85		\$90.90	\$0.00	(\$38.03)	\$0.00	\$0.00	\$0.00		\$52.87	\$457,326.17	\$456,738.89	\$587.28
9/30/2017	\$967.16		\$75.74	\$0.00	(\$38.11)	\$0.00	\$0.00	\$0.00		\$37.63	\$458,330.96	\$457,743.68	\$587.28
10/31/2017	\$783.39		\$75.34	\$0.00	(\$38.19)	\$0.00	\$0.00	\$0.00		\$37.15	\$459,151.50	\$458,564.22	\$587.28
11/30/2017	\$924.07		\$75.52	\$0.00	(\$38.26)	\$0.00	\$0.00	\$0.00		\$37.26	\$460,112.83	\$459,525.55	\$587.28
12/31/2017	\$958.09		\$276.39	\$0.00	(\$38.34)	\$0.00	\$0.00	\$0.00		\$238.05	\$461,308.97	\$460,721.69	\$587.28
1/31/2018	\$1,109.61		\$480.96	\$0.00	(\$38.44)	\$0.00	\$0.00	\$0.00		\$442.52	\$462,861.10	\$462,273.82	\$587.28
2/28/2018	\$1,446.08		\$463.53	\$0.00	(\$38.57)	\$0.00	\$0.00	\$0.00		\$424.96	\$464,732.14	\$464,144.86	\$587.28
3/31/2018	\$1,793.94		\$587.31	\$0.00	(\$38.73)	\$0.00	\$0.00	\$0.00		\$548.58	\$467,074.66	\$466,487.38	\$587.28
4/30/2018	\$1,547.82		\$594.80	\$0.00	(\$38.92)	\$0.00	\$0.00	\$0.00		\$555.88	\$469,178.36	\$468,591.08	\$587.28
5/31/2018	\$1,891.07		\$676.42	\$0.00	(\$39.10)	\$0.00	\$0.00	\$0.00		\$637.32	\$471,706.75	\$471,119.47	\$587.28
6/30/2018	\$154.38		\$661.62	\$0.00	(\$39.31)	\$0.00	\$0.00	\$0.00		\$622.31	\$472,483.44	\$471,896.16	\$587.28
7/31/2018	\$1,040.46		\$727.24	\$0.00	(\$39.37)	\$0.00	\$0.00	\$0.00		\$687.87	\$474,211.77	\$473,624.49	\$587.28
8/31/2018	\$1,060.88		\$766.41	\$0.00	(\$39.52)	\$0.00	\$0.00	\$0.00		\$726.89	\$475,999.54	\$475,412.26	\$587.28
9/30/2018	\$1,163.78		\$766.16	\$0.00	(\$39.67)	\$0.00	\$0.00	\$0.00		\$726.49	\$477,889.81	\$477,302.53	\$587.28
10/31/2018	\$1,052.97		\$835.46	\$0.00	(\$39.82)	\$0.00	\$0.00	\$0.00		\$795.64	\$479,738.42	\$479,151.14	\$587.28
11/30/2018	\$1,012.49		\$868.60	\$0.00	(\$39.98)	\$0.00	\$0.00	\$0.00		\$828.62	\$481,579.53	\$480,992.25	\$587.28
12/31/2018	\$1,013.43		\$917.16	\$0.00	(\$40.13)	\$0.00	\$0.00	\$0.00		\$877.03	\$483,469.99	\$482,882.71	\$587.28
1/31/2019	\$1,264.03		\$947.76	\$0.00	(\$40.29)	\$0.00	\$0.00	\$0.00		\$907.47	\$485,641.49	\$485,054.21	\$587.28
2/28/2019	\$1,982.03		\$1,185.48	\$0.00	(\$40.47)	\$0.00	\$0.00	\$0.00		\$1,145.01	\$488,768.53	\$488,181.25	\$587.28
3/31/2019	\$1,511.32		\$959.84	\$0.00	(\$40.73)	\$0.00	\$0.00	\$0.00		\$919.11	\$491,198.96	\$490,611.68	\$587.28
4/30/2019	\$959.24		\$256.19	\$0.00	(\$40.93)	\$0.00	\$0.00	\$0.00		\$215.26	\$492,373.46	\$491,786.18	\$587.28
5/31/2019	\$939.78		\$247.48	\$0.00	(\$41.03)	\$0.00	\$0.00	\$0.00		\$206.45	\$493,519.69	\$492,932.41	\$587.28
6/30/2019	\$753.95		\$242.89	\$0.00	(\$41.05)	\$0.00	\$0.00	\$0.00		\$201.84	\$494,475.48	\$493,888.20	\$587.28
Total										\$41,927.93			

Total	\$458,860.49
Interest & Fees	\$41,927.93
01 Disbursement	(\$6,900.22)
Grand Total	\$493,888.20
FB&T June 2019 Balance	\$494,475.48
FB&T Difference	\$587.28

SUPPLEMENTAL AFFIDAVIT OF MAILING—COAL OWNER

COMMONWEALTH OF VIRGINIA
COUNTY OF **RUSSELL**

Applicant: Pocahontas Gas LLC
Relief Sought: Disbursement/Dismissal for Unit AX113
VGOB: 01-0320-0874-02

I, Sherri R. Scott, being first duly sworn on oath, depose and say:

1. I am the Manager – Land Records, Division Orders, and Pooling for CNX Land LLC, and I am authorized to submit this Affidavit on behalf of the Applicant CNX Gas Company LLC.

2. I affirm that the coal owner(s) in this Unit was properly noticed under Va. Code Ann. 45.1-361-22:2. See annexed letter(s) dated August 18, 2015. See annexed Certificate of Notice and coal owner notice form letter example.

3. The coal owner(s) **Buckhorn Coal Company** provided evidence of a split agreement pertaining to a portion of this Unit, and consequently, to the extent the split agreement applies, said owner(s) is not dismissed as a Respondent by reason of being a gas claimant under the split agreement.

4. **Buckhorn Coal Company** should be dismissed as Respondent/coal claimant for failure to timely provide evidence of a relevant proceeding or agreement with regard to its other coal owner claims.

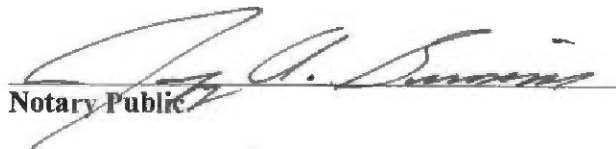


Sherri R. Scott

Manager – Land Records, Division Orders, &
Pooling for CNX Land LLC

STATE OF VIRGINIA
COUNTY OF TAZEWELL, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 6th day of August, 2019.


Notary Public

My commission expires: August 31, 2020

Commonwealth of Virginia
Jeffrey A. Simmons - Notary Public
Commission ID: 7215200
My Commission Expires 08/31/2020

CERTIFICATION OF NOTICE
CNX Gas Company LLC

Unit AX113
VGOB 01-0320-0874
coal dismissal letter

Last Name	First Name	MAILED	RECEIPT #	RECEIVED
Buckhorn Coal Company(Coal Owner)		8/18/2015	70143490000180150	8/20/2015

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>Lari Carda</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery
1. Article Addressed to: <i>Buckhorn Coal Co.</i> <i>P.O. Box 187</i> <i>Tazewell, VA</i> <i>24651-0187</i>	D. Is delivery address different from item 1? ☐ Yes if YES, enter delivery address below: ☐ No 3. Service Type ☐ Certified Mail® ☐ Priority Mail Express™ ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ Collect on Delivery 4. Restricted Delivery? (Extra Fee) ☐ Yes
7014 3490 0001 8926 0150 <i>AX113 RBD</i>	

PS Form 3811, July 2013

Domestic Return Receipt



CNX GAS
CNX Gas Company LLC

PO Box 570
Pounding Mill, VA 24637
Phone: (724) 485-3600

Date

«FNAME» «LNAME»
«Attention_Line»
«Street_Address»
«City» «State» «Zip»
COAL OWNERS

RE: Unit _____
Miscellaneous Petition for Disbursement from Escrow

Dear Property Owner,

House Bill 2058 was signed by the Governor and became law effective July 1, 2015. This new law requires the Virginia Gas and Oil Board to disburse monies placed in escrow because of conflicting claims (between coal owners and oil and gas owners) to coalbed methane gas royalties to the oil and gas owners of the tracts in this Unit.

In general, under this new law escrowed funds are to be paid to oil and gas owners unless the coal owner(s) provides the operator CNX and the Division of Gas and Oil "with evidence of a proceeding" [as in a court case] "or an agreement." The new law gives coal owners/coal claimants 45 days from the date you get this letter to provide that evidence.

Enclosed herewith please find a copy of the 45 day Notice of Filing. Please read the Notice carefully to be sure you understand that you have 45 days to provide evidence to the operator CNX Gas Company LLC at the address above **and** the Division of Gas and Oil at PO Draw 159, Lebanon, VA 24266

In order to help us keep our records current and to make sure you receive all correspondence and notices promptly, please notify us of any address change at the address above.

Sincerely,

Anita Duty
Pooling Supervisor

Enclosure(s)

VIRGINIA: IN THE CIRCUIT COURT OF RUSSELL COUNTY

DELLA MAE PERKINS, ET AL.,

Plaintiffs,

v. ORDER

Case No.: 16-1165

UNKNOWN HEIRS OF DAVID KEENE ET AL.,

Defendants.

THIS DAY came the Plaintiffs and Swain Perkins, by T. Shea Cook Counsel; the now known but previously unknown heirs of Alta Perkins, being Larry Douglas Perkins, Linda Perkins Hale, Aaron Perkins and Daniel Perkins, successors of Ashby Perkins, a deceased son of Alta Perkins, and Judy Perkins Hess, Michael Perkins, Manuel Perkins, Barbara Perkins Roman, Darrell Perkins, Frances Perkins Forbes, Katie Perkins Miller, Jeanie Perkins Howell, Rickie Allen Perkins, and Derek Perkins the successors of Paul Perkins, a deceased son of Alta Perkins, by John Keene Counsel; Edward Sears, Judith Sears, Laurie Stras Thomas, Cynthia Annette Kohout, Joseph Stras, V, and Marion Stras by Claiborne Eldrup- Jorgensen, by Catherine O'Brien Counsel; and CNX Gas Company LLC, by David Grant Altizer and Jonathan T. Blank Counsel, and announced to the Court that these parties, being the only parties remaining in interest, had reached a settlement of the matter among them.

Upon review of the pleadings, reports filed, and representations of the parties, it appears to the Court as follows;

1. All necessary parties are before the Court. Previously, the Court ruled the unknown heirs of S. J. and Susan Corn, the unknown heirs of Scott Israel, and the unknown heirs of David Keene had no interest in the oil and gas estate under the property that is subject to this litigation. Further, neither Renia Perkins nor Dorothy Perkins nor the heirs of Joseph Stras, B. W. Stras or Augustus White, other than those represented by Catherine D. O'Brien, responded, and they are in default.

2. But for the heirs and successors of Alta Perkins, neither the plaintiffs nor the heirs of B. W. Stras, Joseph Stras, and Augustus White have a proved interest in the gas and oil estate under the property that is subject to this litigation.

3. The plaintiffs have not proved a claim other than as heirs of Alta Perkins, and together with Swain Perkins, CNX Gas Company LLC, and the formally unknown heirs of Alta Perkins now represented by John Keene, they are the owners of the gas and oil estates on and under the property that is the subject of this litigation by reason of being successors in interest to Alta Perkins.

4. The plaintiffs, Swain Perkins, the heirs of B. W. Stras, Joseph Stras and Augustus White who answered and are represented by Catherine D. O'Brien, and those heirs of Alta Perkins represented by John Keene have agreed, in compromise of their claimed interests, to transfer those claimed interests to CNX Gas Company LLC, which also has interests under Alta Perkins, in exchange for a share of the current moneys in escrow held by the Virginia Gas and Oil Board as to the 55.5 acre tract, the property subject to this litigation, in Units AW112, AW113, AX112, AX113, AX114, AY 113, and AY114, after

deducting therefrom the costs authorized by the Court as set forth below. As of April 30, 2019, the total amount in escrow for these units as they related to the 55.5 acre tract was \$576,944.82.

5. Upon transfer of the above mentioned claimed interests, CNX Gas Company LLC will own 100% of the gas and oil under the said 55.5 acre tract. No separate value is placed on these transfers.

6. The court previously awarded the Guardians ad Litem a fee of \$125 per hour for work performed by them in this case which equates to the following:

- a.) Stephen Gooch \$4,514.53
- b.) Katherine Patton \$2,184.00
- c.) John Stanly \$1,687.50
- d.) Catherine D. O'Brien \$5,829.96
- e.) John Keene \$5215.00

7. The settlement reached by the parties hereto is a fair and appropriate use of the funds held in escrow as aforesaid.

Accordingly, it is hereby Adjudged, Ordered and Decreed as follows:

A. The plaintiffs, Della Mae Perkins, Rita Robinson, Connie Reynolds, Phyllis Miller, Jackie Perkins, Johnny Perkins, Tammy Maggard, Reba Perkins, and Shelby Perkins, and represented by Terrence Shea Cook other than as heirs and successors of Alta Perkins; and Edwards Sears, Judith Sears, Laurie Stras Thomas, Cynthia Annette Kohout, Joseph Stras, V, and Marion Stras acting through Claiborne Eldrup- Jorgenson do not have a proved interest in the gas and oil estate under the property that is the subject of this litigation. However, in compromising and quitclaiming their claims to CNX Gas Company LLC, the named plaintiffs are entitled to receive \$100,000 from the escrowed funds; Edward Sears, Judith Sears, Laurie Stras Thomas, Cynthia Annette Kohout, Joseph Stras, V, and Marion Stras acting through Clainborne Eldrup- Jorgenson are entitled to received \$180,000 from the escrowed funds; Larry Douglas Perkins, Linda Perkins Hale, Aaron Perkins, Daniel Perkins, Judy Perkins Hess, Michael Perkins, Manuel Perkins, Barbara Perkins Roman, Darrell Perkins, Frances Perkins Forbes, Katie Perkins Miller, Jeanie Perkins Howell, Ricky Allen Perkins, and Derek Perkins are entitled to receive \$100,000 from the escrowed funds; Swain Perkins is entitled to receive \$50,000 from the escrowed funds; and after payment to the Guardians ad Litem, CNX Gas Company LLC is entitled to the residue of the escrowed funds. Said payments are to be made as hereafter set forth to the attorneys representing the parties to be held in trust until distributed by said attorneys. Prior to such payment, the named parties are to execute and deliver to David Grant Altizer, Counsel for CNX Gas Company LLC, a deed in the form attached hereto to be held by him in escrow until payment is made. Thereupon, CNX Gas Company LLC will be the sole owner of the oil and gas under the 55.5 acre tract that is the subject of this litigation. Renia Perkins and Dorothy Perkins and those heirs of Joseph Stras, B. W. Stras and Augustus White who did not respond are in default and the Complaint is taken as confessed as to them.

B. Upon delivery of the aforementioned deeds to David Grant Altizer, CNX Gas Company LLC shall petition the Virginia Gas and Oil Board for fixed sum disbursements from the escrow accounts pertaining to the Units identified above and the said 55.5 acre tract as follows:

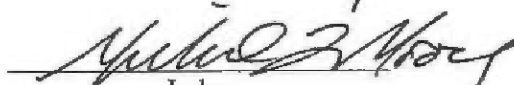
1. to Stephen Gooch, Guardian ad Litem, \$4,514.53
2. to Katherine Patton, Guardian ad Litem, \$2,184.00
3. to John Stanley, Guardian ad Litem, \$1,687.50
4. to Catherine D. O' Brien, Guardian ad Litem, \$5,829.96
5. to John Keene, Guardian ad Litem, \$5,215.00
6. to T. Shea Cook on behalf of the Plaintiffs, \$100,000.00
7. to T. Shea Cook on behalf of Swain Perkins, \$50,000.00
8. to Catherine D. O'Brien on behalf of the Stras and White heirs \$180,000.00
9. to John Keene, on behalf of the previously unknown heirs of Alta Perkins \$100,000.00
10. to CNX Gas Company LLC all of the remaining balances in the said escrow accounts.

In making these payments, because of the terms of the settlement, it is not necessary to require that any payment or combination of payments come from any particular escrow account(s), in whole or in part.

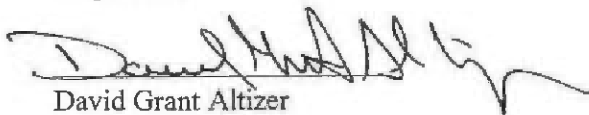
The payment checks (1 through 10) shall be delivered to David Grant Altizer for delivery by him to the attorneys and parties as set out above.

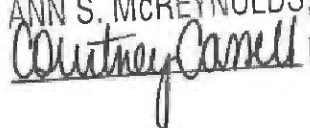
This case is continued until such time as counsel can report to the Court of the execution of this Order.

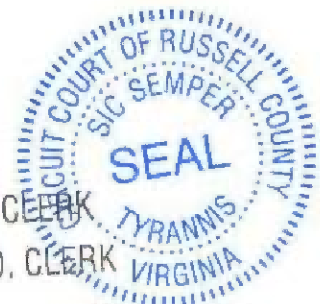
ENTER this the 3rd day of July 2019.

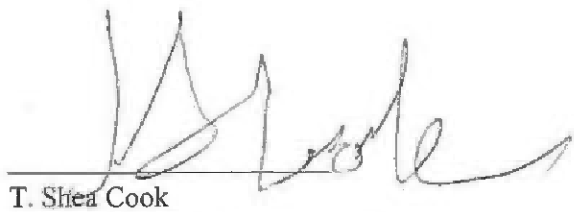

Judge

Requested:


David Grant Altizer
Jonathan T. Blank
Counsel for CNX Gas Company LLC

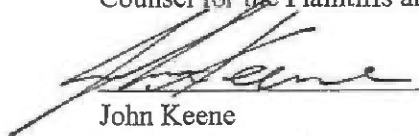
A COPY TESTE
ANN S. McREYNOLDS, CLERK
 D. CLERK





T. Shea Cook

Counsel for the Plaintiffs and for purposes of settlement Swain Perkins



John Keene

Counsel for previously unknown heirs of Alta Perkins and as Guardian ad Litem



Catherine D. O'Brien

Counsel for Stras-White heirs and as Guardian ad Litem