

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

**UNITWELL NAME:** 702942

**TRACT(S):** 008

**LOCATION:** DICKENSON County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit E -  
Exhibit EE

**DOCKET NUMBER:** VGOB-94-0621-0455-04

**APPLICANTS:** EnerVest Operating, LLC on behalf of Dennie J. Long, Joseph Long, Judy B. Manuel,  
Standard Banner Coal Company, Timothy Riley Long

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
September 18, 2018

**APPEARANCES:** Tim Scott on behalf of EnerVest Operating, LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 07/18/1994, Recorded on 07/20/1994, Deed Book/Instrument No. 302, Page 83, County DICKENSON.
2. Supplemental Order Executed 10/26/1994, Recorded on 11/10/1994, Deed Book/Instrument No. 305, Page 108, County DICKENSON.
3. Disbursement Order -01, Recorded on 02/12/2007, Deed Book/Instrument No. 434, Page 549, County DICKENSON.

DB 559 PG 412

- 4. Disbursement Order -02, Recorded on 09/10/2009, Deed Book/Instrument No. 470, Page 485, County DICKENSON.
- 5. Disbursement Order -03 Executed 10/21/2015, Recorded on 10/27/2015, Deed Book/Instrument No. 530, Page 194, County DICKENSON.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the September 18, 2018 hearing and 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) 008 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 008 relative to the interests of the Applicants identified in the attached petition.
- (3) Continue 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:

Petition to disburse funds from the escrow account to all known parties in Tract 8 of well 702942 VGOB 94-0621-0455, pursuant to the Final Order and Agreement and Mutual Release between the owners.

DB 559 PG 13

**RELIEF GRANTED:**

VGOB Disbursement  
Unit 702942

VGOB-94-0621-0455-04

Table 1 (pay exact dollar amount based on account balance of 2/1/2018)  
Tracts: 008

Item	Tract	Disbursement Table	Account Balance	Fractional Ownership	Net Acreage	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Disbursement
008 Tract 008 (total acreage)									
1	008	Joseph Long\274 Westover Drive; Lebanon; VA 24266	7.6785		7.6785	75.00%	5.7589	37.5000%	\$12,870.94
2	008	Standard Banner Coal Company\29059 Rivemont Drive; Meadowview; VA 24361	7.6785		7.6785	25.00%	1.9196	12.5000%	\$4,290.31
3	008	Dennie J. Long\29501 US Highway 58; Lebanon; VA 24266	2.5595		2.5595	75.00%	1.9196	12.5000%	\$4,290.31
4	008	Standard Banner Coal Company\29059 Rivemont Drive; Meadowview; VA 24361	2.5595		2.5595	25.00%	0.6399	4.1667%	\$1,430.10
5	008	Judy B. Manuel\PO Box 314; 261 E. Main Street; Lebanon; VA 24266	2.5595		2.5595	75.00%	1.9196	12.5000%	\$4,290.31
6	008	Standard Banner Coal Company\29059 Rivemont Drive; Meadowview; VA 24361	2.5595		2.5595	25.00%	0.6399	4.1667%	\$1,430.10
7	008	Timothy Riley Long\25392 US Highway 58; Castlewood; VA 24224	2.5595		2.5595	75.00%	1.9196	12.5000%	\$4,290.31
8	008	Standard Banner Coal Company\29059 Rivemont Drive; Meadowview; VA 24361	2.5595		2.5595	25.00%	0.6399	4.1667%	\$1,430.10
		Total acreage in escrow before disbursement			15.3570		15.35700		

08 559

PG 1

VGOB Disbursement  
Unit 702942

VGOB-94-0621-0455-04

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

Tracts: 008

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split Agreement	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
		Total acreage in escrow before disbursement				24.51800		
008 Tract 008 (total acreage)			15.3570					
1	008	Standard Banner Coal Company\29059 Rivermont Drive; Meadowview; VA 24361		15.3570	100.00%	15.3570	62.6356%	\$34,216.32

Adjustment Comments: Percentage pay adjusted to reflect prior exact pay to owners

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 and 2.

2. The Escrow Agent is ordered to continue 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 20 day of September, 2018 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

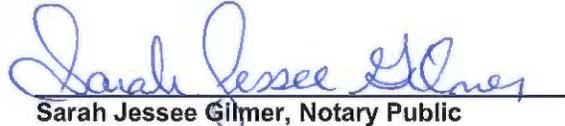
DONE AND PERFORMED this 20 day of September, 2018 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 20<sup>th</sup> day of September, 2018, 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: EnerVest Operating, LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 94-0621-0455-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 008 (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: August 21, 2018

DRILLING UNIT: 702942

DICKENSON COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

**1. Petitioner and its counsel**

Petitioner is EnerVest Operating, LLC, 408 W Main Street, Abingdon, VA 24210, 276-628-9001. Petitioner's counsel is Tim Scott, McKinnis & Scott Law Firm, 135 W. Main St., Kingsport, TN 37660.

**2. Relief Sought**

Petition to disburse escrowed funds to all known owners in well 702942 VGOB 94-0621-0455, Tract 8.

**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

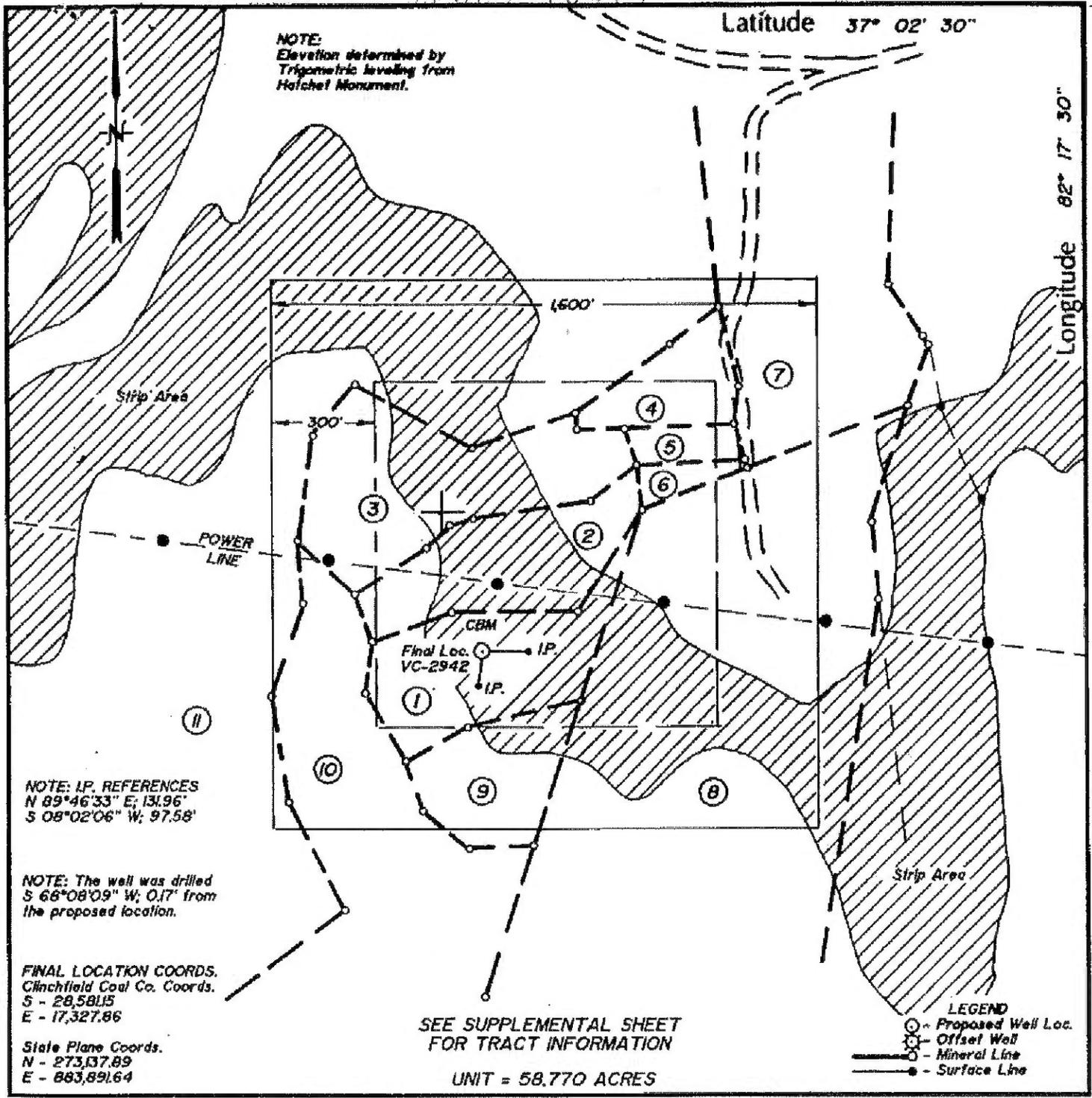
**5. Factual basis for relief requested**

Petition to disburse funds from the escrow account to all known parties in Tract 8 of well 702942 VGOB 94-0621-0455, pursuant to the Final Order and Agreement and Mutual Release between the owners.

**6. Attestation**

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

NOTE: Elevation determined by Trigonometric leveling from Hatchel Monument.



NOTE: IP. REFERENCES  
N 89°46'33" E; 131.96'  
S 08°02'06" W; 97.58'

NOTE: The well was drilled  
S 68°08'09" W; 0.17' from  
the proposed location.

FINAL LOCATION COORDS.  
Climchfield Coal Co. Coords.  
S - 28,581.5  
E - 17,327.86

State Plane Coords.  
N - 273,137.89  
E - 863,891.64

SEE SUPPLEMENTAL SHEET  
FOR TRACT INFORMATION

UNIT = 58,770 ACRES

LEGEND  
 ○ Proposed Well Loc.  
 ⊙ Offset Well  
 ⊖ Mineral Line  
 — Surface Line

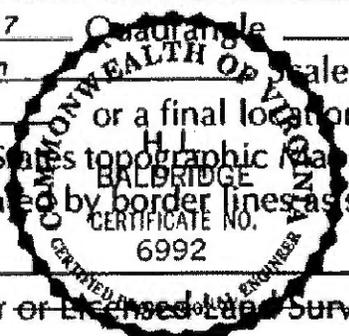
DWG. # 3192

### WELL LOCATION PLAT

Company Equitable Resources Exploration Well Name and Number VC-2942  
 Tract No. TL-223 Elevation 2159.47 Orange Nora  
 County Dickenson District Ervinton Scale: 1"=400' Date 09-30-94

This Plat is a new plat     ; an updated plat      or a final location plat X;  
 + Denotes the location of a well on United States topographic maps, scale 1 to 24,000,  
 latitude and longitude lines being represented by border lines as shown.

J. H. Baldridge  
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)



May 10, 1994

Page 1 of 2

## SUPPLEMENTAL SHEET FOR VC-2942 PLAT

1. Standard Banner Coal Corp.  
5.0 Acres  
COAL, GAS & SURFACE  
Rapoca Energy Co. - Coal Lessee  
GAS - 5.499 Ac., 9.35%
2. Standard Banner Coal Corp.  
5.0 Acres  
COAL, GAS & SURFACE  
Rapoca Energy Co. - Coal Lessee  
GAS - 4.591 Ac., 7.81%
3. Mary Turner Heirs  
7.0 Acres  
Standard Banner Coal Corp.  
COAL & SURFACE  
Rapoca Energy Co. - Coal Lessee  
Mary Turner Heirs - GAS  
GAS - 6.991 Ac., 11.89%
4. Mary Turner Heirs  
2.02 Acres  
Howard C. Holifield - SURFACE  
Standard Banner Coal Corp. - COAL  
Rapoca Energy Co. - Coal Lessee  
Mary Turner Heirs - GAS  
GAS - 2.167 Ac., 3.69%
5. Ls. # 244707L-01  
Howard C. Holifield  
0.75 Acres  
GAS & SURFACE  
Standard Banner Coal Corp. - COAL  
Rapoca Energy Co. - Coal Lessee  
GAS - 0.769 Ac., 1.31%
6. Standard Banner Coal Corp.  
(part of 4.73 Acres)  
Standard Banner Coal Corp. -  
COAL & GAS  
Rapoca Energy Co. - Coal Lessee  
GAS - 0.489 Ac., 0.83%

7. Standard Banner Coal Corp.  
 13.89 Acres  
 COAL, GAS & SURFACE  
 Rapoca Energy Co. - Coal Lessee  
 GAS - 2.983 Ac., 5.08%
8. Ls. # 244712L  
 B. H. Long Heirs  
 30.975 Acres  
 B. H. Long Heirs - GAS  
 Joseph R. Long & Tribitha G. Long (H & W) 14.48 Ac., 1/2 Int.  
 Denny Long & Sharon M. Long (H & W) 5.163 Ac., 1/6 Int.  
 Judy L. Manuel, Single 5.162 Ac., 1/6 Int.  
 Timothy R. Long & Vera V. Long (H & W) 5.162 Ac., 1/6 Int.  
 Standard Banner Coal Corp. - COAL  
 Rapoca Energy Co. - Coal Lessee  
 GAS - 15.357 Ac., 26.13%
9. Standard Banner Coal Corp.  
 4.73 Acres  
 B. H. Long heirs - SURFACE  
 Standard Banner Coal Corp. -  
 COAL & GAS  
 Rapoca Energy Co. - Coal Lessee  
 GAS - 2.866 Ac., 4.88%
10. Mark Mayes, Single  
 65.0 Acres  
 GAS & SURFACE  
 Standard Banner Coal Corp. - COAL  
 Rapoca Energy Co. - Coal Lessee  
 GAS - 4.847 Ac., 8.25%
11. Ls. # PO-148, TL-223  
 Standard Banner Coal Corp. Tr.  
 5747.00 Acres  
 Standard Banner Coal Corp. -  
 SURFACE, COAL OIL & GAS  
 Rapoca Energy Co. - Coal Lessee  
 GAS - 12.211 Ac., 20.78%

**EXHIBIT "E"**  
**VGOB 94/06/21/0455-04**  
**VC-702942**

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>GAS ESTATE ONLY</u>				
<u>3</u>	Mary Turner Heirs Unknown / Unlocateable	Unleased	11.890000%	6.9910
<b>TAX ID 6259</b>	<b>Tract 3 Totals</b>		<b>11.890000%</b>	<b>6.9910</b>
<u>4</u>	Mary Turner Heirs Unknown / Unlocateable	Unleased	3.690000%	2.1670
<b>TAX ID 6259</b>	<b>Tract 4 Totals</b>		<b>3.690000%</b>	<b>2.1670</b>
<b>TOTAL GAS ESTATE</b>			<b>15.580000%</b>	<b>9.1580</b>

INSTRUMENT 180001178  
 RECORDED IN THE CLERK'S OFFICE OF  
 DICKENSON CIRCUIT COURT ON  
 November 1, 2018 AT 11:24 AM  
 RICHARD W. EDWARDS, CLERK  
 RECORDED BY: TLF

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>Disbursement -04</u>				
<u>8</u>	<u>B.H. Long Heirs</u>			
<b>TAX ID</b> Minerals Only	Joseph A. and Tabitha G. Long 274 Westfall Dr Lebanon, VA 24266	Leased 244712	13.265000%	7.6785
	Dennie Long & Sharon M. Long P.O. Box 361 Lebanon, VA 24266	Leased 244712	4.355000%	2.5595
	Judy L. Manuel P.O. Box 314 Lebanon, VA 24266	Leased 244712	4.355000%	2.5595
	Timothy R Long & Vera V. Long 25392 US Highway 58 Castlewood, VA 24224	Leased 244712	4.355000%	2.5595
<b>Tract 8 Totals</b>			<b>26.33%</b>	<b>15.3570</b>
<b>TOTAL DISBURSEMENT-04</b>			<b>26.3300%</b>	<b>15.3570</b>

COAL ESTATE ONLY

<u>8</u>	Standard Banner Coal Corporation P. O. Box 750 Wise, VA 24295	Leased 906891 TL-225	26.330000%	15.3570
<b>TAX ID</b> 11814	<b>Tract 8 Totals</b>		<b>26.330000%</b>	<b>15.3570</b>