

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: 501853

TRACT(S): 005

LOCATION: RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-00-0516-0815-09

**APPLICANTS:**

EnerVest Operating, LLC on behalf of Steven Howell c/o Virginia Department of Treasury, Unknown Heirs of Betty Lou Vance Phillips c/o Virginia Department of Treasury, Unknown Heirs of Edward Farley Vance, Jr. c/o Virginia Department of Treasury, Unknown Heirs of Joyce Nell Vance Smith c/o Virginia Department of Treasury, Unknown Heirs of Mary Sue Vance Cummings c/o Virginia Department of Treasury, Unknown Heirs of Nellie Kiser Wells c/o Virginia Department of Treasury

**HEARING DATE AND LOCATION:**

On November 19, 2019, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process previously identified unknown/unlocatable royalty owner(s) disbursements that have no pending deficiencies or issues. All future royalty payments will be paid directly from the operator to the Department of Treasury and/or the rightful identified owner. Effective date: November 19, 2019.

**FUTURE INQUIRIES/CLAIMS:**

Funds for unknown/unlocatable owners in this order are being sent to the Department of Treasury under the provisions of Title 55.1, Section 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act. To make a claim regarding these funds, please contact the Department of Treasury, Unclaimed Property Division, P. O. Box 2485, Richmond, Virginia 23218-2478. Phone: 1-800-468-1088. E-Mail: UCPmail@trs.virginia.gov

**APPEARANCES:**

Tim Scott on behalf of EnerVest Operating, LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 08/23/2000, Recorded on 09/07/2000, Deed Book/Instrument No. 514, Page 96, County RUSSELL.
2. Supplemental Order Executed 10/03/2001, Recorded on 10/10/2001, Deed Book/Instrument No. 536, Page 952, County RUSSELL.
3. Supplemental Order, Recorded on 09/26/2006, Deed Book/Instrument No. 660, Page 359, County RUSSELL.
4. Disbursement Order -01 Executed 08/21/2007, Recorded on 08/28/2007, Deed Book/Instrument No. 677, Page 373, County RUSSELL.
5. Disbursement Order -02, Recorded on 11/14/2008, Deed Book/Instrument No. 699, Page 0114, County RUSSELL.
6. Disbursement Order -03, Recorded on 09/04/2009, Deed Book/Instrument No. 710, Page 0949, County RUSSELL.
7. Disbursement Order -05 Executed 02/16/2012, Recorded on 03/15/2012, Deed Book/Instrument No. 745, Page 0573, County RUSSELL.
8. Disbursement Order -06 Executed 08/25/2012, Recorded on 09/12/2012, Deed Book/Instrument No. 0752, Page 0397, County RUSSELL.
9. Disbursement Order -07 Executed 02/06/2014, Recorded on 02/26/2014, Deed Book/Instrument No. 773, Page 0121, County RUSSELL.
10. Disbursement Order -08 Executed 08/01/2016, Recorded on 08/23/2016, Deed Book/Instrument No. 0806, Page 0898, County RUSSELL.

**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 005 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 005 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:

To disburse funds for unknown and/or unlocatable landowners in the herein contained well unit to the Department of Treasury under the provisions of Title 55.1, §§ 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act.



5.4200

005 Tract 005 (total acreage)

9	005	Unknown Heirs of Mary Sue Vance Cummings c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0012	100.00%	0.0012	2.0270%	
10	005	Unknown Heirs of Nellie Kiser Wells c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0094	100.00%	0.0094	15.8784%	
11	005	Steven Howell c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0009	100.00%	0.0009	1.5203%	

Adjustment Comments:

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.

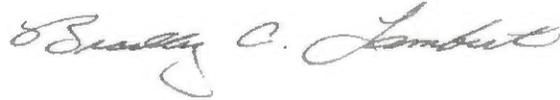
**CONCLUSION:**

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 30 day of April, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 30 day of April, 2020 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 30<sup>th</sup> day of April, 2020, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



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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 00-0516-0815-09

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 005 (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 November 19, 2019, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process previously identified unknown/unlocatable royalty owner(s) disbursements that have no pending deficiencies or issues. All future royalty payments will be paid directly from the operator to the Department of Treasury and/or the rightful identified owner. Effective date: November 19, 2019.

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DRILLING UNIT: 501853

RUSSELL 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

To disburse funds for unknown and/or unlocatable landowners in the herein contained well unit to the Department of Treasury under the provisions of Title 55.1, §§ 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act.

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

To disburse funds for unknown and/or unlocatable landowners in the herein contained well unit to the Department of Treasury under the provisions of Title 55.1, §§ 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act.

**6. Attestation**

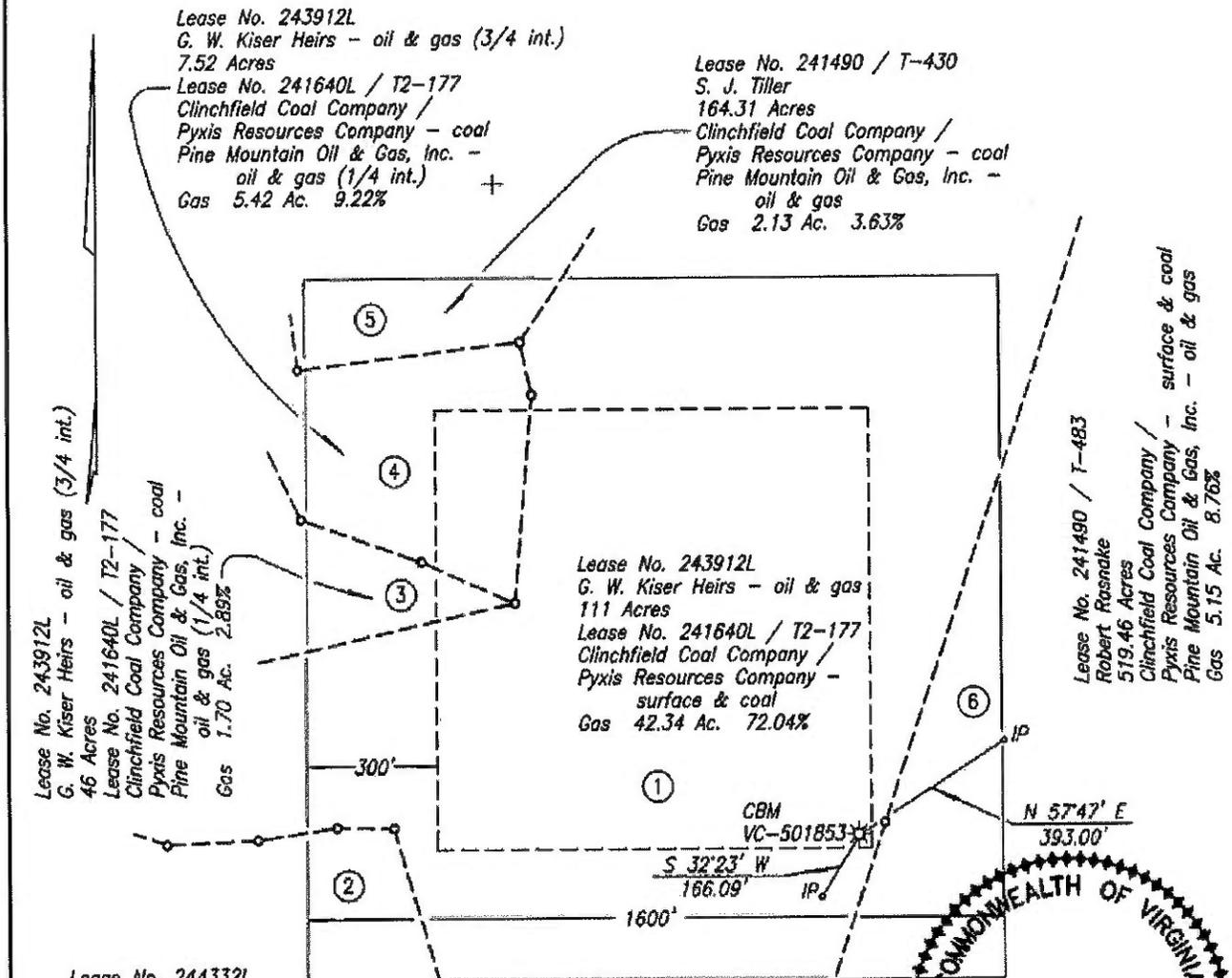
The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

9,390'

Latitude 37° 02' 30"

2,730'

Longitude 82° 07' 30"



Lease No. 243912L  
G. W. Kiser Heirs - oil & gas (3/4 int.)  
7.52 Acres  
Lease No. 241640L / T2-177  
Clinchfield Coal Company /  
Pyxis Resources Company - coal  
Pine Mountain Oil & Gas, Inc. -  
oil & gas (1/4 int.) +  
Gas 5.42 Ac. 9.22%

Lease No. 241490 / T-430  
S. J. Tiller  
164.31 Acres  
Clinchfield Coal Company /  
Pyxis Resources Company - coal  
Pine Mountain Oil & Gas, Inc. -  
oil & gas  
Gas 2.13 Ac. 3.63%

Lease No. 243912L  
G. W. Kiser Heirs - oil & gas (3/4 int.)  
46 Acres  
Lease No. 241640L / T2-177  
Clinchfield Coal Company /  
Pyxis Resources Company - coal  
Pine Mountain Oil & Gas, Inc. -  
oil & gas (1/4 int.)  
Gas 1.70 Ac. 2.89%

Lease No. 243912L  
G. W. Kiser Heirs - oil & gas  
111 Acres  
Lease No. 241640L / T2-177  
Clinchfield Coal Company /  
Pyxis Resources Company -  
surface & coal  
Gas 42.34 Ac. 72.04%

Lease No. 241490 / T-483  
Robert Rasnake  
519.46 Acres  
Clinchfield Coal Company /  
Pyxis Resources Company - surface & coal  
Pine Mountain Oil & Gas, Inc. - oil & gas  
Gas 5.15 Ac. 8.76%

Lease No. 244332L  
H. F. Kiser Heirs - oil & gas  
87.50 Acres  
Lease No. 244792L / TC-214  
Clinchfield Coal Company /  
Pyxis Resources Company - coal  
Gas 2.03 Ac. 3.45%

**FINAL PLAT**

The undersigned hereby certifies that the final location is within ten (10') feet of the location shown on the well plat dated 10-12-2001.

Well Coordinates: (VA St. Plane S. Zone, Calculated from CCC coordinates)  
N 275,819 E 932,723

Well Coordinates: (Clinchfield Coal Co.)  
S 23,967.24 E 65,970.79

Well elevation determined by GPS survey from monument Hatchet

Area of Unit = 58.77 Ac.

**WELL LOCATION PLAT**

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-501853  
TRACT NO. LS. No. 243912L ELEVATION 2495.77 QUADRANGLE Duty  
COUNTY Russell DISTRICT Castlewood SCALE 1" = 400' DATE 4-25-2002

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.

James E. Halsey  
Licensed Professional Engineer or Licensed Land Surveyor

**EXHIBIT E**  
**VGOB 00-0516-0815-09**  
**501853**  
Revised 4/28/20

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
	N/A	N/A		

EXHIBIT EE  
VGOB 00-0516-0815-09  
501653  
Revised 4/28/20

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
<u>Disbursement 00</u>				
5	Unknown Heirs of Betty Lou Vance Phillips c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Unleased	0.006645%	0.0040
TAX ID Mineral Only				
	Unknown Heirs of Joyce Nell Vance Smith c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Unleased	0.006645%	0.0040
	Unknown Heirs of Edward Farley Vance, Jr. c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Unleased	0.006645%	0.0040
	Unknown Heirs of Mary Sue Vance Cummings c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Unleased	0.006645%	0.0040
	Unknown Heirs of Nellie Kiser Wells c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.047817%	0.0281
	Unknown Heirs of Betty Lou Vance Phillips c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.002282%	0.0012
	Unknown Heirs of Joyce Nell Vance Smith c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.002282%	0.0012
	Unknown Heirs of Edward Farley Vance, Jr. c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.002282%	0.0012
	Unknown Heirs of Mary Sue Vance Cummings c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.002282%	0.0012
	Unknown Heirs of Nellie Kiser Wells c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Leased 244332 - RRP	0.015872%	0.0084
	Steven Howzell c/o Virginia Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218-2478	Unleased	0.001521%	0.0009
	<b>Total Tract 5</b>		<b>0.101818%</b>	<b>0.0592</b>
	<b>TOTAL DISBURSEMENT 00</b>		<b>0.101915%</b>	<b>0.0592</b>

2020872

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, May 20, 2020. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 12:09 o'clock P M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: DUME

TESTE: ANN S. McREYNOLDS, CLERK  
BY: Symon M. Munnick D. CLERK