

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:** 536070

**TRACT(S):** 005

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-04-0921-1337-10

**APPLICANTS:**

EnerVest Operating, LLC on behalf of Steven Howell Unknown 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 Wellsc/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 04/04/2005, Recorded on 04/05/2005, Deed Book/Instrument No. 628, Page 853, County RUSSELL.
2. Supplemental Order, Recorded on 06/22/2005, Deed Book/Instrument No. 633, Page 764, County RUSSELL.
3. Disbursement Order -01 Executed 08/21/2007, Recorded on 09/02/2008, Deed Book/Instrument No. 696, Page 0214, County RUSSELL.
4. Disbursement Order -01 Executed 08/21/2007, Recorded on 09/02/2008, Deed Book/Instrument No. 696, Page 0214, County RUSSELL.
5. Disbursement Order -03 Executed 07/24/2009, Recorded on 08/13/2009, Deed Book/Instrument No. 709, Page 994, County RUSSELL.
6. Disbursement Order -04, Recorded on 08/13/2009, Deed Book/Instrument No. 709, Page 968, County RUSSELL.
7. Disbursement Order -02 Executed 04/25/2013, Recorded on 05/09/2013, Deed Book/Instrument No. 0761, Page 0561, County RUSSELL.
8. Disbursement Order -05 Executed 04/25/2013, Recorded on 05/09/2013, Deed Book/Instrument No. 0761, Page 0582, County RUSSELL.
9. Disbursement Order -06 Executed 02/28/2013, Recorded on 07/15/2013, Deed Book/Instrument No. 764, Page 401, County RUSSELL.
10. Disbursement Order -07 Executed 01/10/2014, Recorded on 01/31/2014, Deed Book/Instrument No. 772, Page 0067, County RUSSELL.
11. Disbursement Order -08 Executed 03/20/2015, Recorded on 04/03/2015, Deed Book/Instrument No. 0787, Page 0912, County RUSSELL.
12. Disbursement Order -09 Executed 07/26/2016, Recorded on 08/02/2016, Deed Book/Instrument No. 0806, Page 0198, 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.

**RELIEF GRANTED:**

VGOB Disbursement  
Unit 536070

VGOB-04-0921-1337-10

Table 1  
Tracts: 005

| Item | Tract                     | Disbursement Table  | Fractional Ownership | Net Acreage Ownership | Royalty Split | Escrowed Acres | Percent of Escrowed Funds Disbursed | Adjustment Amount |
|------|---------------------------|---|----------------------|-----------------------|---------------|----------------|-------------------------------------|-------------------|
|      |                           |   |                      |                       |               |                |                                     |                   |
|      |                           | Total acreage in escrow before disbursement   |                      |                       |               | 0.22840        |                                     |                   |
|      |                           |   | 9.0000               |                       |               |                |                                     |                   |
| 005  | Tract 005 (total acreage) |   |                      |                       |               |                |                                     |                   |
| 1    | 005                       | Steven Howell Unknown c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478                     |                      | 0.0040                | 100.00%       | 0.0040         | 1.7513%                             |                   |
| 2    | 005                       | Unknown Heirs of Betty Lou Vance Phillips c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478 |                      | 0.0204                | 100.00%       | 0.0204         | 8.9317%                             |                   |
| 3    | 005                       | Unknown Heirs of Joyce Nell Vance Smith c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478   |                      | 0.0204                | 100.00%       | 0.0204         | 8.9317%                             |                   |
| 4    | 005                       | Unknown Heirs of Edward Farley Vance; Jr. c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478 |                      | 0.0204                | 100.00%       | 0.0204         | 8.9317%                             |                   |
| 5    | 005                       | Unknown Heirs of Mary Sue Vance Cummings c/o Virginia Department of Treasury\Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478  |                      | 0.0204                | 100.00%       | 0.0204         | 8.9317%                             |                   |
| 6    | 005                       | Unknown Heirs of Nellie Wells/c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478            |                      | 0.1428                | 100.00%       | 0.1428         | 62.5219%                            |                   |

**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 16 day of December, 2020 by a majority of the Virginia Gas and Oil Board.

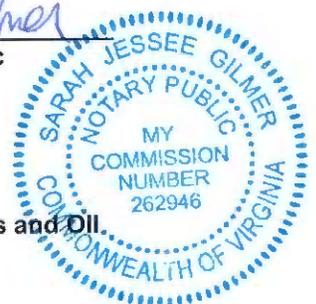
*Donald L. Ratliff*

Interim Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 16th day of December, 2020, 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 18 day of December, 2020 by Order of the Virginia Gas and Oil Board.

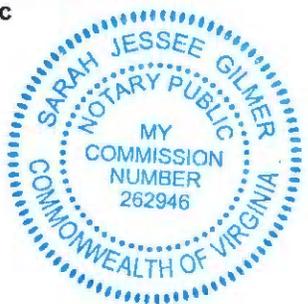
*James P. Skorupa*

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 18th day of December, 2020, 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: EnerVest Operating, LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 04-0921-1337-10

**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: 536070

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.

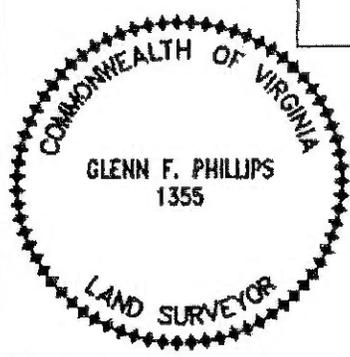
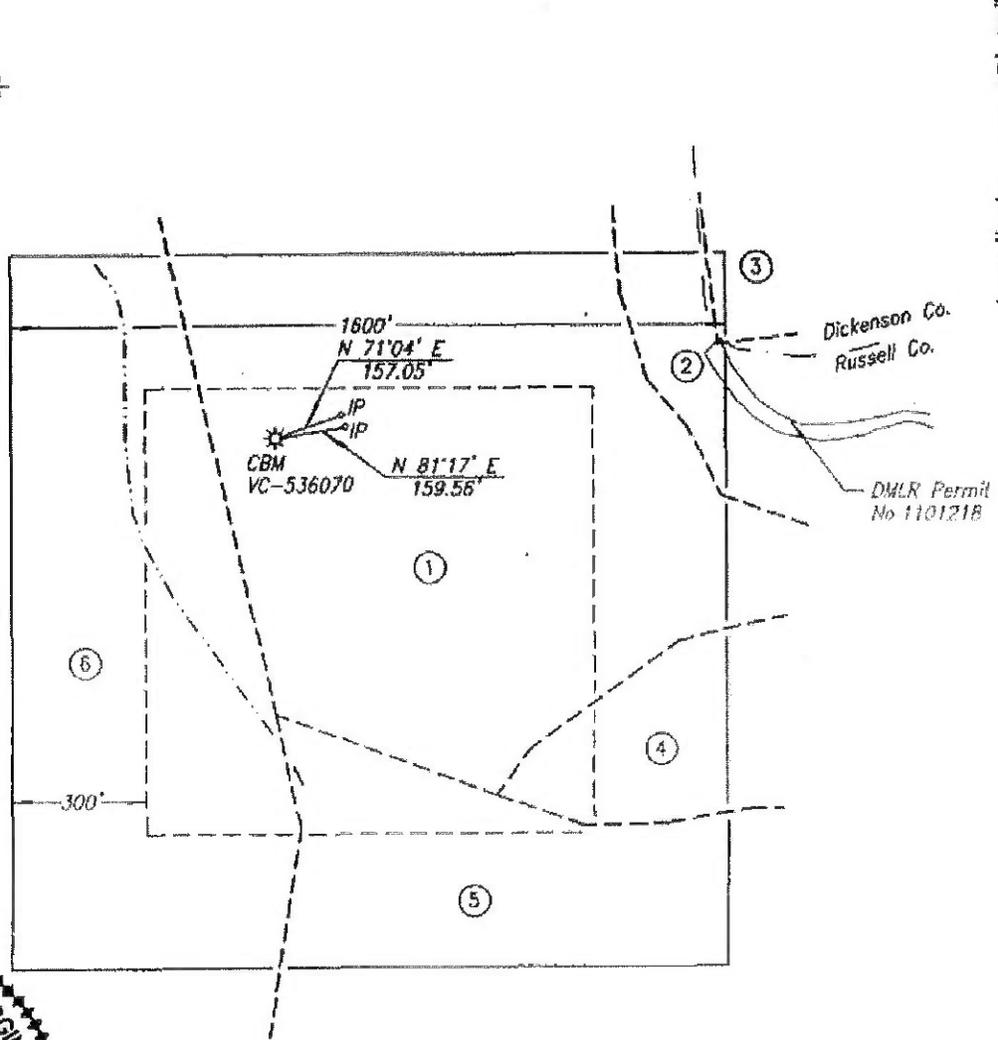
**6. Attestation**

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

Well Coordinates: (Geographic N27)  
37.036473° -82.165066°

Latitude 37° 02' 30"

Longitude 82° 07' 30"  
1,900'



**FINAL PLAT**

The undersigned hereby certifies that the final location is within ten (10') feet of the location shown on the well plat dated 3-03-2004.  
Area of Unit = 58.77 Ac.

Well Coordinates: (VA St. Plane S. Zone, Calculated from CCC coordinates)  
N 276,762 E 930,477  
Well Coordinates: (Cinchfield Coal Co.)  
S 23,112.01 E 63,691.60

Well elevation determined by GPS survey from Mon. Hatchet

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-536070  
TRACT NO. 12-177 ELEVATION 2,364.42' QUADRANGLE Duty  
COUNTY Russell DISTRICT Castlewood SCALE 1" = 400' DATE 1-18-2005

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.

Glenn F. Phillips  
Licensed Professional Engineer or Licensed Land Surveyor

**VC-536070 PLAT**  
**TRACT OWNERSHIP INFORMATION SCHEDULE**  
 4/15/2004

1. Lease No. 243912L  
 G. W. Kiser Heirs - oil & gas (3/4 int.)  
 46.00 Acres  
 Lease No. 241640L / T2-177  
 Heartwood Forestland Fund IV, L.P. - surface  
 ACIN LLC - coal  
 Alpha Land & Reserves LLC - coal lessee  
 WBRD LLC - coal  
 Dickenson-Russell Coal Company LLC - coal lessee  
 Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM  
 Gas 25.35 Ac. 43.13%
  
2. Lease No. 243912L  
 G. W. Kiser Heirs - oil & gas (3/4 int.)  
 7.52 Acres  
 Lease No. 241640L / T2-177  
 ACIN LLC - coal  
 Alpha Land & Reserves LLC - coal lessee  
 WBRD LLC - coal  
 Dickenson-Russell Coal Company LLC - coal lessee  
 Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM  
 Gas 1.78 Ac. 3.03%
  
3. Lease No. 241490L / T-430  
 S. J. Tiller  
 164.31 Acres  
 ACIN LLC - coal  
 Alpha Land & Reserves LLC - coal lessee  
 WBRD LLC - coal  
 Dickenson-Russell Coal Company LLC - coal lessee  
 Pine Mountain Oil & Gas, Inc. - oil, gas & CBM  
 Gas 0.14 Ac. 0.24%
  
4. Lease No. 243912L  
 G. W. Kiser Heirs - oil & gas (3/4 int.)  
 111 Acres  
 Lease No. 241640L / T2-177  
 ACIN LLC - coal  
 Alpha Land & Reserves LLC - coal lessee  
 WBRD LLC - coal  
 Dickenson-Russell Coal Company LLC - coal lessee  
 Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM  
 Gas 3.29 Ac. 5.60%

- 5 . Lease No. 244332L  
H. F. Kiser Heirs - oil & gas  
87.50 Acres  
Lease No. 244792L / TC-214  
ACIN LLC - coal  
Alpha Land & Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Pine Mountain Oil & Gas, Inc. - CBM  
Gas 9.00 Ac. 15.31%
- 6 . Lease No. 241490L / T-866  
Daniel Kiser  
172.50 Acres  
Heartwood Forestland Fund IV, L.P. - surface  
ACIN LLC - coal  
Alpha Land & Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Pine Mountain Oil & Gas, Inc. - oil, gas & CBM  
Gas 19.21 Ac. 32.69%

**EXHIBIT E**  
**VGOB 04-0921-1337-10**  
**536070**  
Revised 11/30/20

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

**EXHIBIT EE**  
**VGOB 04-0921-1337-10**  
**536070**  
 Revised 11/30/20

| <u>TRACT</u>           | <u>LESSOR</u>  | <u>LEASE STATUS</u> | <u>INTEREST WITHIN UNIT</u> | <u>GROSS ACREAGE IN UNIT</u> |
|------------------------|--|---------------------|-----------------------------|------------------------------|
| <u>Disbursement 10</u> |  |                     |                             |                              |
| 5                      | <u>Heirs of Carrie Powers</u><br>Steven Howell<br>Unknown/Unlocatable                    | Unleased            | 0.00006800                  | 0.0040                       |
|                        | <u>Heirs of Ama Agnes Vance</u><br>Heirs Betty Lou Vance Phillips<br>Unknown/Unlocatable | Unleased            | 0.00034712                  | 0.0204                       |
|                        | Heirs of Joyce Nell Vance Smith<br>Unknown/Unlocatable                                   | Unleased            | 0.00034712                  | 0.0204                       |
|                        | Heirs of Edward Farley Vance, Jr.<br>Unknown/Unlocatable                                 | Unleased            | 0.00034712                  | 0.0204                       |
|                        | Heirs of Mary Sue Vance Cummings<br>Unknown/Unlocatable                                  | Unleased            | 0.00034712                  | 0.0204                       |
|                        | Heirs of Nellie Wells<br>Unknown/Unlocatable   | Leased              | 0.00242981                  | 0.1428                       |
|                        | <b>TOTAL GAS ESTATE</b>  |                     | <b>0.00388627</b>           | <b>0.22840000</b>            |
|                        | <b>TOTAL DISBURSEMENT 10</b>   |                     | <b>0.00388627</b>           | <b>0.22840000</b>            |

2100098

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 4-15, 2021. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:33 o'clock P M, after payment of \$        tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Omme

BY: Kathy Huff D. CLERK