

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: 536721

TRACT(S): 002

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-05-0419-1435-01

APPLICANTS: EnerVest Operating, LLC on behalf of Alona Bailey, Audrey Kennedy, Cartha Kiser, Diane Knight, Edward L. Kiser, Howard Scott Kiser, Jackson L. Kiser, James Scott Kiser, Janet D. Breeding, Julie R. Hartsock, Lenora K. Davis, Linda G. Dyer Ware, Naomi Gay McAllister, Ronald Kennedy, Roy Curtis Kiser, Susan K. Perry, Teresa Chandler, William R. Kiser, Jr., Yvonne Sweeney

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
March 21, 2017

APPEARANCES: Tim Scott on behalf of EnerVest Operating, LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 07/21/2005, Recorded on 07/26/2005, Deed Book/Instrument No. 415, Page 106.
2. Supplemental Order, Recorded on 01/17/2006, Deed Book/Instrument No. 421, Page 521.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 21, 2017 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) 002 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 002 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:

Petition to disburse funds from the escrow account for well V-536721, to all known owners in Tract 2, VGOB 05-0419-1435-01, pursuant to court order.

RELIEF GRANTED:

VGOB Disbursement
Unit 536721

VGOB-05-0419-1435-01

Table 1
Tracts: 002

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
		Total acreage in escrow before disbursement				28.79000		
		002 Tract 002 (total acreage)	28.7900					
1	002	Jackson L. Kiser\1513 White Oak Court; Martinsville; VA 24112		2.8790	100.00%	2.8790	10.0000%	
2	002	William R. Kiser; Jr.1817 Old White Bridge Road; Waynesboro; VA 22980		2.8790	100.00%	2.8790	10.0000%	
3	002	Roy Curtis Kiser\4740 East Windstone Trail; Cave Creek; AZ 85331		2.8790	100.00%	2.8790	10.0000%	
4	002	Julie R. Hartsock\232 Michaels Ridge Boulevard; Johnson City; TN 37615		0.9596	100.00%	0.9596	3.3331%	
5	002	Linda G. Dyer Ware\875 Ryan Road; Chuckey; TN 37641		0.9596	100.00%	0.9596	3.3331%	
6	002	Howard Scott Kiser\PO Box 445; Collins; MS 39428		0.9596	100.00%	0.9596	3.3331%	
7	002	Yvonne Sweeney\PO Box 1116; Clintwood; VA 24228		1.4395	100.00%	1.4395	5.0000%	
8	002	Audrey Kennedy\212 Little Caney Ridge; Coeburn; VA 24230		1.4395	100.00%	1.4395	5.0000%	
9	002	Ronald Kennedy\PO Box 96; Clintwood; VA 24288		1.4395	100.00%	1.4395	5.0000%	
10	002	James Scott Kiser\PO Box 245; Jonesborough, TN 37659		1.4395	100.00%	1.4395	5.0000%	
11	002	Lenora K. Davis\444 Pope Road; Ivanhoe; VA 24350		0.9597	100.00%	0.9597	3.3334%	
12	002	Naomi Gay McAllister\8 Orion Road; Bolling Springs; PA 17007		0.9597	100.00%	0.9597	3.3334%	
13	002	Susan K. Perry\1807 Holiday Road; Newport Beach; CA 92660		0.9597	100.00%	0.9597	3.3334%	
14	002	Janet D. Breeding\19175 Moulin Street; Abingdon; VA 24210		0.9597	100.00%	0.9597	3.3334%	
15	002	Edward L. Kiser\PO Box 42; Dante; VA 24237		0.9597	100.00%	0.9597	3.3334%	
16	002	Diane Knight\3136 Salem Road; Havana; FL 32333		0.9597	100.00%	0.9597	3.3334%	
17	002	Cartha Kiser\5722 Dunn Avenue; Jacksonville; FL 32216		0.0000	100.00%	0.0000	0.0000%	
18	002	Alona Bailey\7530 Rondex Lane; Lewisville; NC 27023		2.8790	100.00%	2.8790	10.0000%	
19	002	Teresa Chandler\6004 Broad Water Drive; Kenersville; NC 27284		2.8790	100.00%	2.8790	10.0000%	

Adjustment Comments:

DB 546 PG210

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.

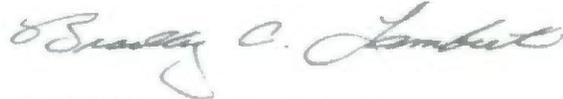
CONCLUSION:

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 22 day of March, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

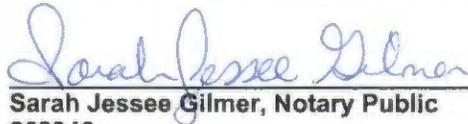
DONE AND PERFORMED this 22 day of March, 2017 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd day of March, 2017, 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, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: EnerVest Operating, LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 05-0419-1435-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 002 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES.

HEARING DATE: March 21, 2017

DRILLING UNIT: 536721

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 funds from the escrow account for well V-536721, to all known owners in Tract 2, VGOB 05-0419-1435-01 pursuant to court order.

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)

Conventional

5. Factual basis for relief requested

Petition to disburse funds from the escrow account for well V-536721, to all known owners in Tract 2, VGOB 05-0419-1435-01, pursuant to court order.

6. Attestation

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

00 546 P0211

FINAL PLAT

4304'

LATITUDE 37°07'30"

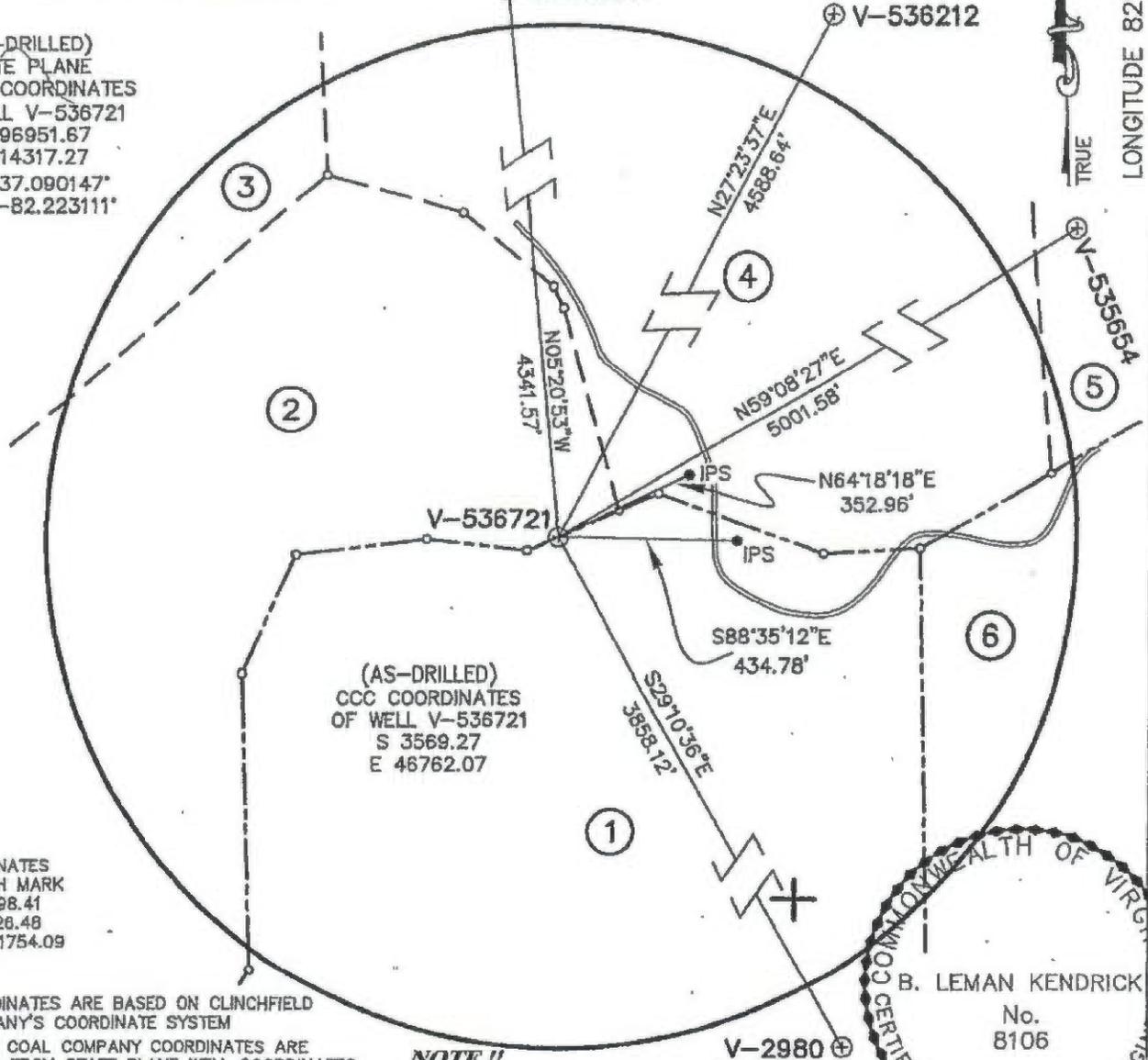
TOTAL UNIT AREA
= 112.69 ACRES

The undersigned hereby certifies that the final location is within ten (10) feet of the location shown on the well plat dated APRIL 27, 2005.

LONGITUDE 82°12'30"

- DENOTES MINERAL LINE
- - - DENOTES SURFACE LINE
- · - · - DENOTES SURFACE & MINERAL LINES

(AS-DRILLED)
STATE PLANE
NAD 27 COORDINATES
OF WELL V-536721
N 296951.67
E 914317.27
LAT 37.090147°
LON -82.223111°

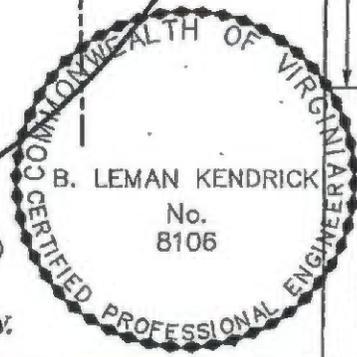


(AS-DRILLED)
CCC COORDINATES
OF WELL V-536721
S 3569.27
E 46762.07

COORDINATES
OF BENCH MARK
S 77498.41
E 22826.48
ELEV. = 1754.09

NOTE !!!
WELL COORDINATES ARE BASED ON CLINCHFIELD COAL COMPANY'S COORDINATE SYSTEM
CLINCHFIELD COAL COMPANY COORDINATES ARE CALCULATED FROM STATE PLANE WELL COORDINATES.
PROPERTY INFORMATION PROVIDED BY EQUITABLE PRODUCTION COMPANY.
ELEVATIONS ARE BASED ON NGS CONTROL ST. PAUL 2.

NOTE !!
SEE WELL PLAT SUPPLEMENT SHEET 2 FOR TRACT INFORMATION.



WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER V-536721
TRACT No. LEASE NO. 241490L/T-414 ELEVATION 2061.12 (GPS) QUADRANGLE DUTY
COUNTY DICKENSON DISTRICT ERVINTON SCALE: 1" = 400' DATE AUGUST 29, 2005
THIS PLAT IS A NEW PLAT ; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT X
PROPOSED TOTAL DEPTH OF WELL =

+ 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.

B. J. Emahiser 8/25/05 (AFFIX SEAL)
LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

①

LEASE No. 241490 / T-414
S.D. SUTHERLAND
76.30 ACRES
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
PINE MOUNTAIN OIL & GAS, INC. - oil, gas & CBM
GAS 42.90 AC. 38.06%

②

LEASE No. 244789L
MISSOURI I. KISER - surface, oil, & gas
41.87 ACRES
LEASE No. 244792L / TC-219
J.H. POWERS
1108.79 ACRES
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
GAS 28.79 AC. 25.55%

③

NOT LEASED
LEONARD POWERS, et. al. - surface, oil, & gas
46.00 ACRES
LEASE No. 244792L / TC-219
J.H. POWERS
1108.79 ACRES
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
GAS 3.20 AC. 2.84%

④

LEASE No. 241711L
DAVID C. POWERS - surface, oil, & gas
52.00 ACRES
LEASE No. 244792L / TC-219
J.H. POWERS
1108.79 ACRES
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
GAS 31.65 AC. 28.09%

⑤

LEASE No. 243512L
CAPTAIN B.M. DAVID. - surface, oil, & gas
50.00 ACRES
LEASE No. 244792L / TC-219
J.H. POWERS
1108.79 ACRES
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
GAS 0.22 AC. 0.20%

⑥

LEASE No. 241490 / T-413
HENRY SUTHERLAND
354.00
HEARTWOOD FORESTLAND FUND IV, L.P. - surface
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
PINE MOUNTAIN OIL & GAS, INC. - oil, gas & CBM
GAS 5.93 AC. 5.26%



THOMPSON & LITTON

40 Main Street
P.O. Box 1869
Clintwood, Virginia 24228

EQUITABLE PRODUCTION COMPANY
WELL No. V-536721
WELL PLAT SUPPLEMENT
SHEET 2

PROJECT No.:
8042 AS-D.DWG

SCALE: 1" = 400'

DATE: AUGUST 29, 2005

EXHIBIT E
V- 536721
VGOB 05-0419-1435-01
2/8/2017

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

EXHIBIT EE
V-536721
VGOB 05-0419-1435-01
2/8/2017

<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>2</u> #2746	<u>Missouri I. Kiser Heirs</u> <u>William R. Kiser Heirs</u>			
	Jackson L. Kiser 1513 White Oak Court Martinsville, VA 24112	Unleased	2.5550%	2.8790
	William R. Kiser, Jr. 817 Old White Bridge Road Waynesboro, VA 22980	Leased	2.5550%	2.8790
	<u>Herbert S. Kiser Heirs</u>			
	Roy Curtis Kiser 4740 East Windstone Trail Cave Creek, AZ 85331	Leased	2.5550%	2.8790
	<u>Fred N. & Catherine Kiser Heirs</u>			
	Julie R. Hartsock 232 Michaels Ridge Boulevard Johnson City, TN 37615	Leased	0.8516%	0.9596
	Linda G. Ware Dyer 875 Ryan Rd. Chuckey, TN 37641	Leased	0.8516%	0.9596
	Howard Scott Kiser P.O. Box 445 Collins, MS 39428	Leased	0.8516%	0.9596
	<u>Utah & Bessie Kiser Heirs</u>			
	Yvonne Sweeney P.O. Box 1116 Clintwood, VA 24228	Leased	1.2775%	1.4395
	Audrey Kennedy 212 Little Caney Ridge Coeburn, VA 24230	Leased	1.2775%	1.4395
	Ronald Kennedy P.O. Box 96 Clintwood, VA 24228	Leased	1.2775%	1.4395
	<u>Mainard & Virginia Kiser Heirs</u>			
	James Scott Kiser PO Box 245 Jonesborough, TN 37659	Leased	1.2775%	1.4395

EXHIBIT EE
V-536721
VGOB 05-0419-1435-01
2/8/2017

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
	<u>Aubrey & Virginia Kiser Heirs</u>			
	Lenora K. Davis 444 Pope Road Ivanhoe, VA 24350	Unleased	0.8517%	0.9597
	N. Gay McAllister 8 Orion Road Boiling Springs, PA 17007	Unleased	0.8517%	0.9598
	Susan K. Perry 1807 Holiday Road Newport Beach, CA 92660	Unleased	0.8517%	0.9598
	Janet D. Breeding 19175 Moulin Street Abingdon, VA 24210	Unleased	0.8517%	0.9598
	Edward L. Kiser P.O. Box 42 Dante, VA 24237	Unleased	0.8517%	0.9598
	Diana Knight 3136 Salem Road Havana, FL 32333	Unleased	0.8517%	0.9598
	<u>James Kiser Heirs</u>			
	Cartha Kiser, widow 5722 Dunn Avenue Jacksonville, FL 32218	Leased Life Estate	0.0000%	0.0000
	Alona Bailey 7530 Rondex Lane Lewisville, NC 27023	Leased Remainderman	2.5550%	2.8790
	Teresa Chandler 6004 Broad Water Dr. Kernersville, NC 27284	Leased Remainderman	2.5550%	2.8790
	Tract 3 Total		25.5498%	28.7905
		Total Gas Estate	25.55%	28.79

EXHIBIT EE
V-536721
VGOB 05-0419-1435-01
 2/8/2017

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>Coal Estate Only</u>				
<u>2</u> #12082	EnerVest Operating, LLC Attn: Jim McKinney 408 West Main Street Abingdon, VA 24210 <i>formerly Range Resources-Pine Mountain, Inc.</i>	Leased	25.5500%	28.7900
Tract 2 Total			25.5500%	28.7900
Total Coal Estate			25.5500%	28.7900

INSTRUMENT #170000424
 RECORDED IN THE CLERK'S OFFICE OF
 DICKENSON ON
 APRIL 11, 2017 AT 10:10AM

 RICHARD W. EDWARDS, CLERK
 RECORDED BY: CJB