



**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:** 537302

**TRACT(S):** 001, 004

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-06-0919-1719-02

**APPLICANTS:** EnerVest Operating, LLC on behalf of Joseph Kiser Unknown Heirs 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](mailto:UCPmail@trs.virginia.gov)

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

**PRIOR PROCEEDINGS:**

- 1. Supplemental Order Executed 08/21/2007.

2. Modification Order -01 Executed 06/19/2007, Recorded on 06/26/2007, Deed Book/Instrument No. 674, Page 305, County RUSSELL.
3. Original Pooling Order Executed 06/19/2007, Recorded on 06/26/2007, Deed Book/Instrument No. 674, Page 305, County RUSSELL.
4. Supplemental Order -01, Recorded on 08/28/2007, Deed Book/Instrument No. 677, Page 391, 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) 001, 004 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 001, 004 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.



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 7 day of April, 2021 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 7<sup>th</sup> day of April, 2021, 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, Notary Public  
262946

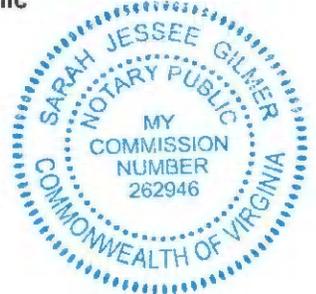
My Commission expires: July 31, 2021

DONE AND PERFORMED this 8 day of April, 2021 by Order of the Virginia Gas and Oil Board.

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 8<sup>th</sup> day of April, 2021, 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, 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 06-0919-1719-02**

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 001, 004 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES.**

**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:** 537302

**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)**

Conventional

**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**

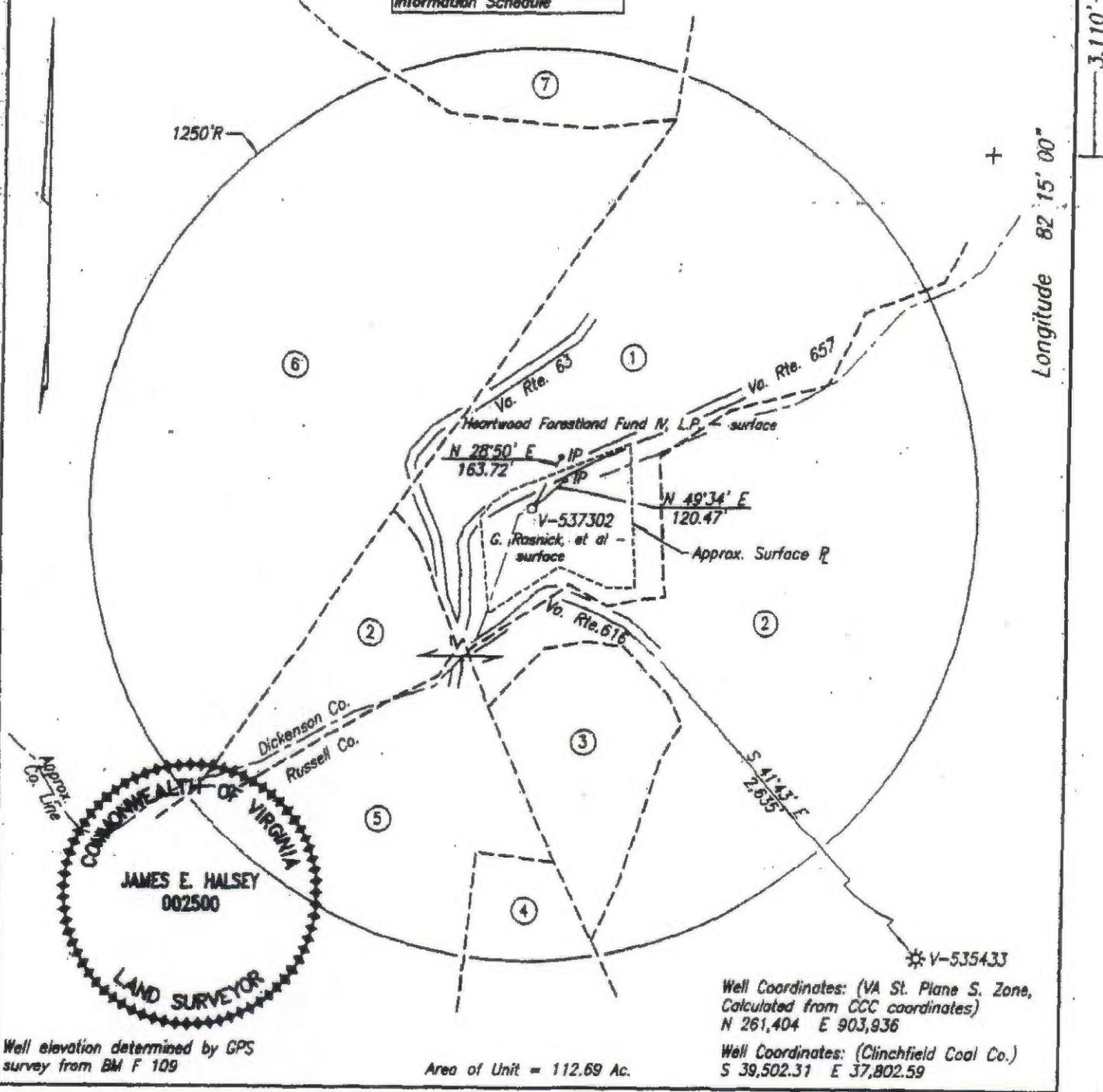
The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

1,110'  
3,110'

Well Coordinates: (Geographic N27)  
36.991457 -82.253830

Latitude 37° 00' 00"

See attached Tract Ownership Information Schedule



Well elevation determined by GPS survey from BM F 109

Area of Unit = 112.69 Ac.

Well Coordinates: (VA St. Plane S. Zone, Calculated from CCC coordinates)  
N 261,404 E 903,936

Well Coordinates: (Clinchfield Coal Co.)  
S 39,502.31 E 37,802.59

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER V-537302  
TRACT NO. Joseph Kiser Heirs ELEVATION 2,871.19' QUADRANGLE St. Paul  
COUNTY Russell DISTRICT Castlewood SCALE 1" = 400' DATE 10-18-2006  
This Plat is a new plat x; an updated plat     ; or a final location plat     

+ 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

V-537302 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
10/18/2006

1. Unleased  
Joseph Kiser Heirs - oil & gas  
310.66 Acres  
ACIN LLC - coal  
Alpha Land & Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 23.48 Ac. 20.84%
2. Lease No. :241640L/ T2-189  
E.M. Kiser  
126.67 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  
Gas 32.82 Ac. (total) 29.12%
3. Lease No. 2414940L / T-552  
E. Villio Kiser  
5.93 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  
Gas 5.69 Ac. 5.05%
4. Unleased  
Joseph Kiser Heirs - oil & gas  
310.66 Acres  
ACIN LLC - coal  
Alpha Land & Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 1.92 Ac. 1.70%

5. Lease No. 2414940L / T-525  
Dawson  
6,000 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  
Gas 10.12 Ac. 8.98%
  
6. Lease No. 241640L / T2-188  
Wm. Brooks  
140.00 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  
Gas 35.79 Ac. 31.76%
  
7. Lease No. 241640L / T2-187  
Elihu Kiser  
36.54 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  
Gas 2.87 Ac. 2.55%

**EXHIBIT E**  
**VGOB 06-0919-1719**  
**537302**  
**Revised 4/6/21**

Disbursement 01

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

**No Further Escrowing Needed**

**EXHIBIT EE**  
**VGOB 06-0919-1719**  
**537302**  
 Revised 4/6/21

**Disbursement 01**

| <u>TRACT</u>                | <u>LESSOR</u>  | <u>LEASE STATUS</u> | <u>INTEREST WITHIN UNIT</u> | <u>GROSS ACREAGE IN UNIT</u> |
|-----------------------------|--|---------------------|-----------------------------|------------------------------|
| 1                           | Joseph Kiser Heirs<br>Unknown/Unlocatable<br>Tax ID: Minerals Only | Unleased            | 20.84000000                 | 23.4800                      |
| 4                           | Joseph Kiser Heirs<br>Unknown/Unlocatable<br>Tax ID: Minerals Only | Unleased            | 1.70000000                  | 1.9200                       |
| <b>TOTAL DISBURSEMENT 1</b> |  |                     | <b>22.54000000</b>          | <b>25.40000000</b>           |

**2100955**

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, April 29, 2021. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:42 o'clock P M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: DhmmE

TESTE: ANN S. McREYNOLDS, CLERK  
 BY: Courtney Carter D. CLERK