



**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:** 536086

**TRACT(S):** 004

**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-06-1219-1838-02

**APPLICANTS:** EnerVest Operating, LLC on behalf of Enervest Operating LLC

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
May 16, 2017

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

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 04/17/2007, Recorded on 05/01/2007, Deed Book/Instrument No. 437, Page 387.
2. Supplemental Order, Recorded on 05/24/2011, Deed Book/Instrument No. 486, Page 165.
3. Disbursement Order -01 Executed 01/02/2013, Recorded on 01/28/2013, Deed Book/Instrument No. 503, Page 366.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the May 16, 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) 004 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 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:

Petition to disburse funds to all known owners in Tract 4 VGOB 06-1219-1838-02 pursuant to HB 2058 and CL 16-115



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 17 day of May, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

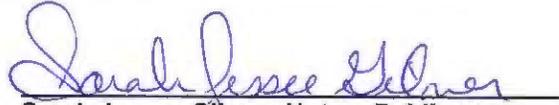
DONE AND PERFORMED this 17 day of May, 2017 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 17<sup>th</sup> day of May, 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: EnerVest Operating, LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 06-1219-1838-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 004 (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: May 16, 2017

DRILLING UNIT: 536086

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 distribute escrow funds to all known owners in Tract 4, pursuant to HB 2058.

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 to all known owners in Tract 4 VGOB 06-1219-1838-02 pursuant to HB 2058 and CL 16-115

6. Attestation

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

TOTAL UNIT AREA  
= 58.77 ACRES

DD 567 PG320

**FINAL PLAT**

LATITUDE 37°02'30"

2424'

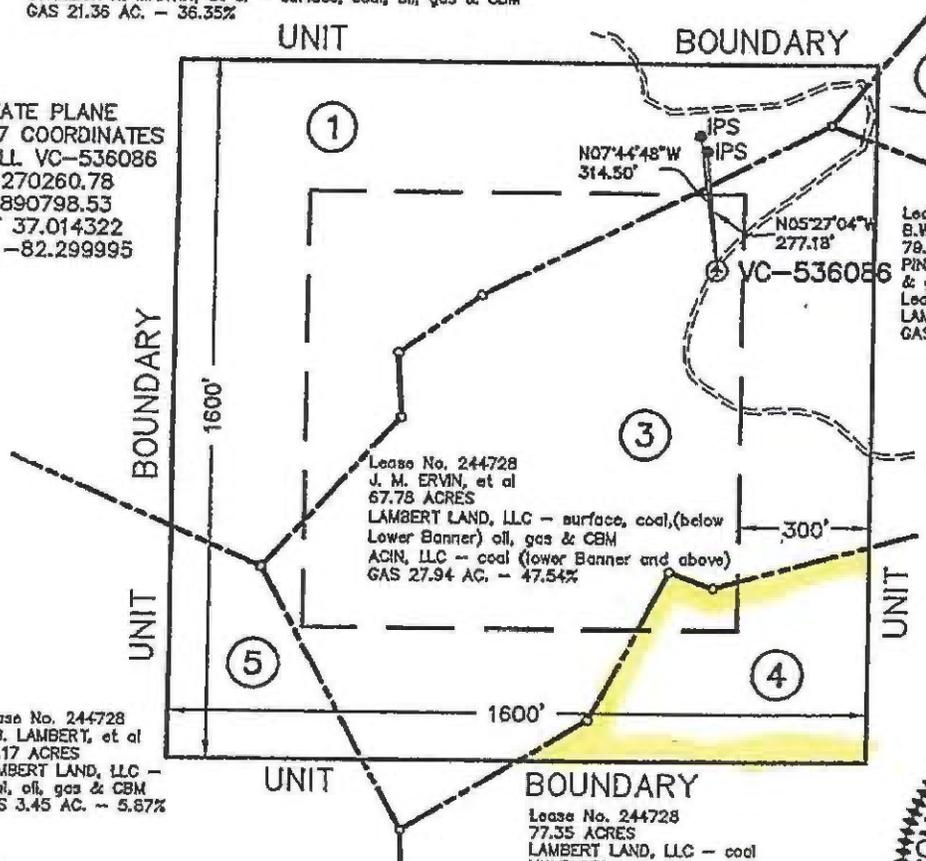
--- DENOTES MINERAL LINE  
- - - DENOTES SURFACE LINE  
- - - DENOTES SURFACE & MINERAL LINES

The undersigned hereby certifies that the final location is within ten (10) feet of the location shown on the well plat dated FEBRUARY 7, 2007.

CCC COORDINATES  
OF WELL VC-536086  
S 31177.23  
E 24338.07

LEASE No. 906474  
LORREIGN H. MARTIN, et al  
131.00 ACRES  
LORREIGN H. MARTIN, et al - surface, coal, oil, gas & CBM  
GAS 21.36 AC. - 36.35%

STATE PLANE  
NAD 27 COORDINATES  
OF WELL VC-536086  
N 270260.78  
E 890798.53  
LAT 37.014322  
LON -82.299995



Lease No. 241640 / T2-128  
B.W. JENNINGS  
79.23 ACRES  
PINE MOUNTAIN OIL & GAS, INC. - oil & gas  
Lease No. 905075  
LAMBERT LAND, LLC - coal & surface  
GAS 0.19 AC. - 0.32%

Lease No. 244728  
J. M. ERVIN, et al  
67.78 ACRES  
LAMBERT LAND, LLC - surface, coal, (below Lower Banner) oil, gas & CBM  
AGIN, LLC - coal (lower Banner and above)  
GAS 27.94 AC. - 47.54%

Lease No. 244728  
G.B. LAMBERT, et al  
83.17 ACRES  
LAMBERT LAND, LLC - coal, oil, gas & CBM  
GAS 3.45 AC. - 5.87%

Lease No. 244728  
77.35 ACRES  
LAMBERT LAND, LLC - coal UNLEASED  
CHARLES W. GRIZZLE HEIRS - oil & gas  
GAS 5.83 AC. - 9.92%

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.

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



**WELL LOCATION PLAT**

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-536086  
TRACT No. LEASE NO. 244728 ELEVATION 2164.32 (GPS) QUADRANGLE NORA  
COUNTY DICKENSON DISTRICT ERVINTON SCALE: 1" = 400' DATE JULY 18, 2007  
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.

*Eric W. Price*  
\_\_\_\_\_  
LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

7-18-07 (ATTACHMENT)

**EXHIBIT "E"**  
**VC-536086**  
**VGOB 06/1219-1838-02**

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

**EXHIBIT "EE"**  
**VC-536086**  
**VGOB 06/1219-1838-02**

<u>TR</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
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Gas Estate Only

4	EnerVest Operating, L.L.C. Attn: Jim McKinney 408 West Main Street Abingdon, VA 24210 <i>fmy listed as:</i> <i>Charles W. Grizzle Heirs</i> <i>Unknown/Unlocatable</i> TAX ID- Minerals Only	Owned	9.920000%	5.8300
<b>TOTAL</b>			<b>9.920000%</b>	<b>5.8300</b>

Coal Estate Only

4	Lambert Land, LLC PO Box 90 Emory, VA 24327 TAX ID- Minerals Only	Leased 244728	9.920000%	5.8300
<b>TOTAL</b>			<b>9.920000%</b>	<b>5.8300</b>

INSTRUMENT 170000620  
 RECORDED IN THE CLERK'S OFFICE OF  
 DICKENSON ON  
 May 30, 2017 AT 01:58 PM  
 RICHARD W. EDWARDS, CLERK  
 RECORDED BY: CJB