

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: VC-501854

TRACT(S): A portion of 2, 3

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-07-1218-2102-04

APPLICANTS:

EnerVest Operating, LLC on behalf of Alicia Rosenbaum, Alma Simerly, Anna Claudine Breeding Parsons, Billy Ball, Carol Peacoe and Jack Peacoe, Curtis Wilson, Dave Craft, Destia Puckett, Diane Howell, Franklin Farmer & Karen Farmer, Ina Fern Breeding, Jack Kelvin Head, Johnny Lee Rosenbaum, Katherine Brooks Dillon, Keith Allen Musick, Kevin Howell, Lois Lee Breeding Rasnake, Michelle Ball, Ronald Scott Mullins, Samuel Musick, Sharon Lynn Jones Vipperman, Sheryl Mullins Bise, Wanda Jean Bryan, Wanda Whitt and Randall Whitt, Wiley J. Canter

HEARING DATE AND LOCATION:

On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

APPEARANCES: James Kaiser on behalf of EnerVest Operating, LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 01/15/2008, Recorded on 01/28/2008, Deed Book/Instrument No. 684, Page 0558.
2. Supplemental Order, Recorded on 02/23/2009, Deed Book/Instrument No. 702, Page 226.

3. Disbursement Order -01 Executed 06/17/2013, Recorded on 07/01/2013, Deed Book/Instrument No. 0763, Page 0878.
4. Disbursement Order -02 Executed 01/11/2014, Recorded on 01/31/2014, Deed Book/Instrument No. 772, Page 194.
5. Disbursement Order -03 Executed 05/02/2016, Recorded on 05/23/2016, Deed Book/Instrument No. 0802, Page 1010.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) A portion of 2, 3 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 2, 3 relative to the interests of the Applicants identified in the attached petition.
- (3) Continue 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 VC-501854, to all known owners in Tracts 2, 3. VGOB 07-1218-2102-04.

RELIEF GRANTED:

Unit VC-501854

VGOB-07-1218-2102-04

Table 1

Tracts: A portion of 2, 3

[illegible]

14.1900

2 Tract 2 (total acreage)

19	2	Sharon Lynn Jones Vipperman\8 Pinder Avenue; Elkton; MD 21921		0.0075	100.00%	0.0075	0.0932%	
20	2	Jack Kelvin Head\89 Tolmax Lane; Elkton; MD 21921		0.0075	100.00%	0.0075	0.0932%	
21	2	Katherine Brooks Dillon\981 Valiant Drive; Statesville; NC 28677		1.5767	100.00%	1.5767	19.5808%	
22	2	Destia Puckett Mullins\PO Box 191; Cleveland; VA 24225		0.0657	100.00%	0.0657	0.8159%	
23	2	Michelle Ball\1529 Bankbury Way; Chesapeake; VA 23322		0.2628	100.00%	0.2628	3.2637%	
24	2	Dave Craft\2700 Willimar Street; Richmond; VA 23234		0.0985	100.00%	0.0985	1.2238%	
25	2	Wanda Jean Bryan\P.O. Box 1295; Scott Depot; WV 25560		0.0985	100.00%	0.0985	1.2238%	

10.4400

3 Tract 3 (total acreage)

1	3	Alma Simerly\PO Box 1624; Honaker; VA 24260		2.5056	100.00%	2.5056	31.1173%	
2	3	Curtis Wilson\10 Theresa Avenue; Rising Sun; MD 21911-2704		0.3818	100.00%	0.3818	4.7416%	
3	3	Wiley J. Canter\464 Brown Street; Bluff City; TN 37618		0.0994	100.00%	0.0994	1.2348%	
4	3	Johnny Lee Rosenbaum\14446 Black Hollow Road; Abingdon; VA 24210		0.0994	100.00%	0.0994	1.2348%	
5	3	Alicia Rosenbaum\30166 Lee Highway; Glade Spring; VA 24340		0.0994	100.00%	0.0994	1.2348%	
6	3	Sharon Lynn Jones Vipperman\8 Pinder Avenue; Elkton; MD 21921		0.0597	100.00%	0.0597	0.7409%	
7	3	Jack Kelvin Head\89 Tolmax Lane; Elkton; MD 21921		0.0597	100.00%	0.0597	0.7409%	

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 continue 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 July, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 7 day of July, 2016 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 7th day of July, 2016, 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 07-1218-2102-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 2, 3 (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 June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: VC-501854

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 James Kaiser, Wilhoit and Kaiser Law Firm, 220 Broad Street, Suite 210, Kingsport, TN 37660 .

2. Relief Sought

Petition to disburse funds from the escrow account for well VC-501854, to all known owners in Tracts 2, 3. VGOB 07-1218-2102-04.

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)

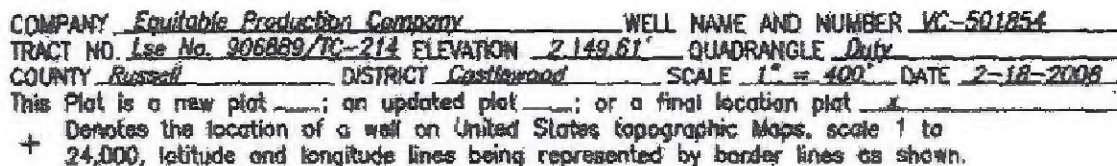
Coalbed Methane

5. Factual basis for relief requested

Petition to disburse funds from the escrow account for well VC-501854, to all known owners in Tracts 2, 3. VGOB 07-1218-2102-04.

6. Attestation

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



Page Number 8.

EXHIBIT "E"
VC-501854
VGOB 07/12/18-2102-04
REVISED 3/29/16

<u>TR</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>	Steven Howell unknown	Unleased	0.010648%	0.0063
	Heirs Betty Lou Vance Phillips Unknown/Unlocatable	Unleased	0.063889%	0.0376
	Heirs of Joyce Nell Vance Smith Unknown/Unlocatable	Unleased	0.063889%	0.0376
	Heirs of Edward Farley Vance, Jr. Unknown/Unlocatable	Unleased	0.063889%	0.0376
	Heirs of Mary Sue Vance Cummings Unknown/Unlocatable	Unleased	0.063889%	0.0376
	Nellie Kiser Wells Heirs Unknown/Unlocatable	Leased - RRPM 244332	0.447222%	0.2628
	Freddy Wilson Unknown	Leased - RRPM 244332	0.030492%	0.0179
	Tract 2 Total		0.743919%	0.4374

EXHIBIT "EE"
VC-501854
VGOB 07/12/18-2102-04
Revised 3/29/16

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<u>TR</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
Current disbursement -04				
<u>GAS ESTATE ONLY</u>				
2	Ina Fern Breeding P.O. Box 2 Davenport, VA 24239	Leased - RRPM 244332	0.081313%	0.0478
	Billy Ball 3623 Jims CT Green Cove Springs, FL 32043	Leased - RRPM 244332	0.081313%	0.0478
	Sheryl Mullins Bise 888 Ramsey Ridge Clinchco, VA 24226	Unleased	0.020328%	0.0119
	Ronald Scott Mullins 425 Good Hope Church Road Aroda, VA 22709	Unleased	0.020328%	0.0119
	Samuel Musick 1085 Bellamy Lane Portsmouth, OH 45663	Unleased	0.048788%	0.0287
	Keith Allen Musick 21105 Currie Avenue Warren, MI 48091-4314	Leased - RRPM 244332	0.024394%	0.0143
	<u>Velva Lee Kiser Breeding Heirs</u> Lois Lee Breeding Rasnake PO Box 731 Jonesborough, TN 37659	Leased - RRPM	1.341667%	0.7883
2	Anna Claudine Breeding Parsons 4184 Majestic Oak Drive Randleman, NC 27317	Leased - RRPM	1.341667%	0.7883
	Wanda Whitt and Randall Whitt W/H 1068 Wood Mill Road Stephenson, VA 22656-2036	Unleased	0.010648%	0.0063
	Carol Peacoe and Jackie Peacoe W/H 418 S Kent Street Winchester, VA 22601	Unleased	0.010648%	0.0063
	Diane Howell, single PO Box 414 Hebron, VA 21830	Unleased	0.010648%	0.0063
	Kevin Howell 140 Cline Drive Gore, VA 22637	Unleased	0.010648%	0.0063

EXHIBIT "EE"
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<u>TR</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
2	Franklin Farmer Karen Farmer H/W 8566 Burlington Court Manassas, VA 20110	Unleased	0.010648%	0.0063
	Alma Simerly, single PO Box 1624 Honaker, VA 24260	Leased - RRPM 244332	0.566481%	0.3329
	Curtis Wilson 10 Theresa Avenue Rising Sun, MD 21911-2704	Leased - RRPM	0.087741%	0.0516
	Wiley J. Canter 464 Brown Street Bluff City, TN 37618	Unleased	0.021296%	0.0125
	Johnny Lee Rosenbaum 14446 Black Hollow Road Abingdon, VA 24210	Unleased	0.021296%	0.0125
	Alicia Rosenbaum, single 30166 Lee Highway Glade Spring, VA 24340	Unleased	0.021296%	0.0125
	Sharon Lynn Jones Vipperman 8 Pinder Avenue Elkton, MD 21921-7108	Unleased	0.012778%	0.0075
2	Jack Kelvin Head 89 Tolmax Lane Elkton, MD 21921	Unleased	0.012778%	0.0075
	<u>Brady Brooks Heir</u> Katherine Brooks Dillon 981 Valiant Drive Statesville, NC 28677	Leased - RRPM	2.683333%	1.5767
	Destia Puckett Mullins PO Box 191 Cleveland, VA 24225	Leased - RRPM 244332	0.111806%	0.0657
	Michelle Kiser Ball 1529 Bankbury Way Chesapeake, VA 23322	Unleased	0.447222%	0.2628
	Dave Craft 2700 Willimar Street Richmond, VA 23234	Unleased	0.167708%	0.0985
2	Wanda Jean Bryan, single PO Box 1295 Scott Depot, WV 25560	Leased - RRPM 244332	0.167708%	0.0985
Tract 2 Total			7.334483%	4.3097

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<u>TR</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>3</u>	Alma Simerly, single PO Box 1624 Honaker, VA 24260	Leased - RRPM 244315	4.262400%	2.5056
	Curtis Wilson 10 Theresa Avenue Rising Sun, MD 21911-2704	Leased - RRPM	0.649509%	0.3818
	Wiley J. Canter 464 Brown Street Bluff City, TN 37618	Unleased	0.169143%	0.0994
	Johnny Lee Rosenbaum 14446 Black Hollow Road Abingdon, VA 24210	Unleased	0.169143%	0.0994
<u>3</u>	Alicia Rosenbaum, single 30166 Lee Highway Glade Spring, VA 24340	Unleased	0.169143%	0.0994
	Sharon Lynn Jones Vipperman 8 Pinder Avenue Elkton, MD 21921-7108	Unleased	0.101486%	0.0597
	Jack Kelvin Head 89 Tolmax Lane Elkton, MD 21921	Unleased	0.101486%	0.0597
Tract 3 Total			5.622309%	3.3050
Total Current Disbursement			12.956792%	7.6147
<u>COAL ESTATE ONLY*</u>				
*COAL ESTATE IS RELEASED PURSUANT TO HB2058				
<u>2</u>	Enervest Operating LLC* Attn: Jim McKinney 408 West Main Street Abingdon, VA 24210 <i>*formerly Range Resources-Pine Mountain, Inc.</i>	Leased-RRPM 906889 TC-214	24.150000%	14.1900
<u>3</u>	Enervest Operating LLC* Attn: Jim McKinney 408 West Main Street Abingdon, VA 24210 <i>*formerly Range Resources-Pine Mountain, Inc.</i>	Leased-RRPM 906889 TC-214	17.760000%	10.4400
TOTAL COAL ESTATE			41.910000%	24.6300



ENERVEST

EnerVest Operating, L.L.C.

408 West Main Street
Abingdon, VA 24210
Phone (276) 628-9001

January 29, 2016

EnerVest Operating, L.L.C., hereby waives any claims to past or future royalties attributable to the conflicting interest herein as shown on Exhibit EE, unless subject to prior agreements.

Phil Horn
Contractor for EnerVest, LLC

1601372

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 7-22, 2016, This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:45 o'clock A M, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Ketron

TESTE: ANN S. McREYNOLDS, CLERK
BY: Jennifer Kendrick D. CLERK