



**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:** 537868

**TRACT(S):** 003, 006, 007

**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-08-0318-2179-02

**APPLICANTS:** EnerVest Operating, LLC on behalf of Dominion Mining Company Unknown c/o Virginia Department of Treasury, Unknown Heirs of A McClellan Hay c/o Virginia Department of Treasury, Unknown Heirs of Columbus Hay c/o Virginia Department of Treasury, Unknown Heirs of James P Hay c/o Virginia Department of Treasury, Unknown Heirs of Pheby Hay 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

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

**PRIOR PROCEEDINGS:**

- 1. Original Pooling Order Executed 07/15/2008, Recorded on 08/07/2008, Deed Book/Instrument No. 456, Page 319, County DICKENSON.
- 2. Supplemental Order Executed 02/04/2009, Recorded on 02/20/2009, Deed Book/Instrument No. 462, Page 746, County DICKENSON.
- 3. Disbursement Order -01 Executed 08/20/2015, Recorded on 09/01/2015, Deed Book/Instrument No. 528, Page 559, County DICKENSON.

**NOTICE:**

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 003, 006, 007 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 003, 006, 007 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 537868

VGOB-08-0318-2179-02

Table 1

Tracts: 003, 006, 007

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				6.70320		
	003	Tract 003 (total acreage)	3.7600					
1	003	Dominion Mining Company Unknown c/o Virginia Department of Treasury; Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		3.7600	100.00%	3.7600	56.0926%	
	006	Tract 006 (total acreage)	2.2000					
1	006	Unknown Heirs of James P Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.1833	100.00%	0.1833	2.7345%	
2	006	Unknown Heirs of A McClellan Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.1833	100.00%	0.1833	2.7345%	
3	006	Unknown Heirs of Columbus Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.1833	100.00%	0.1833	2.7345%	
4	006	Unknown Heirs of Pheby Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.1833	100.00%	0.1833	2.7345%	
	007	Tract 007 (total acreage)	6.6300					
1	007	Unknown Heirs of James P Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.5525	100.00%	0.5525	8.2423%	
2	007	Unknown Heirs of A McClellan Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.5525	100.00%	0.5525	8.2423%	
3	007	Unknown Heirs of Columbus Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.5525	100.00%	0.5525	8.2423%	
4	007	Unknown Heirs of Pheby Hay c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.5525	100.00%	0.5525	8.2423%	

**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.

DB 586 PG356

DONE AND EXECUTED this 10 day of May, 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 10<sup>th</sup> day of May, 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, 2025

DONE AND PERFORMED this 11 day of May, 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 11<sup>th</sup> day of May, 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, 2025

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** EnerVest Operating, LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 08-0318-2179-02

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 003, 006, 007 (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.

**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

**DRILLING UNIT:** 537868

**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**

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.

DB 586 PG359

TOTAL UNIT AREA  
= 58.77 ACRES

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

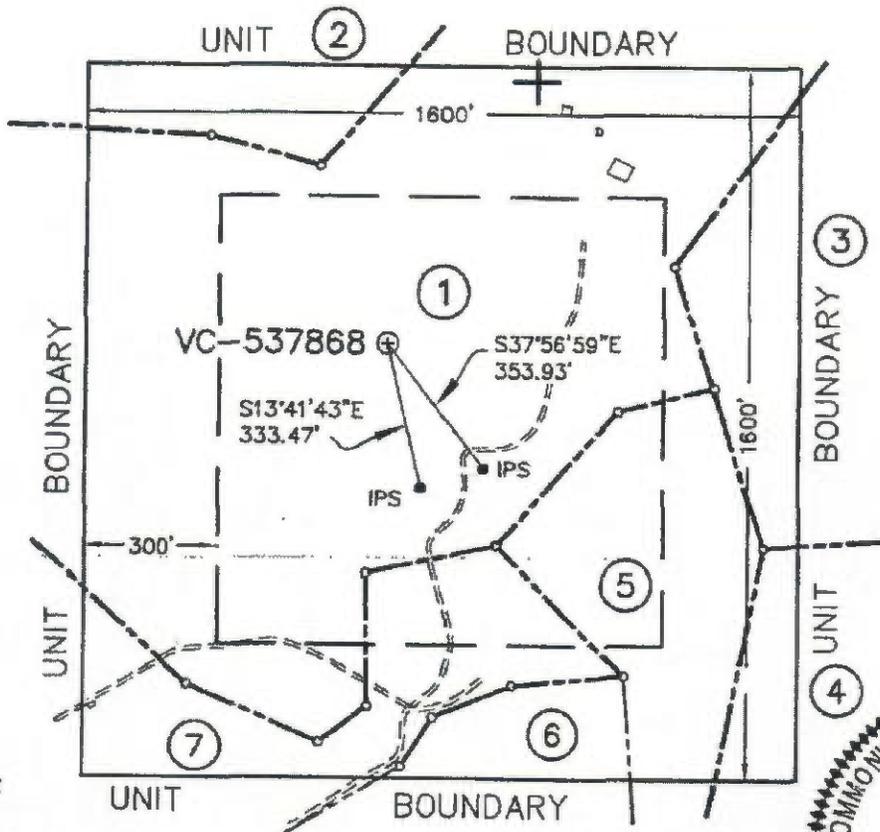
**FINAL PLAT**

The undersigned hereby certifies that the final location is within ten (10) feet of the location shown on the well plat dated FEBRUARY 8, 2008.

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

LATITUDE 37°10'00"

LONGITUDE 82°15'00"  
4416'

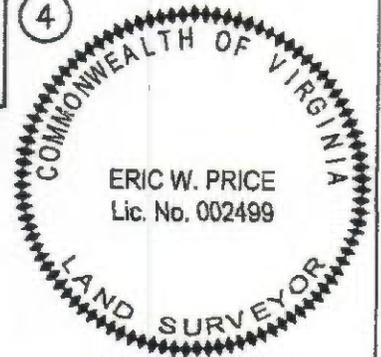


AS-DRILLED  
CCC COORDINATES  
OF WELL VC-537868  
N 19876.37  
E 31775.07

AS-DRILLED  
STATE PLANE  
NAD 27 COORDINATES  
OF WELL VC-537868  
N 320972.55  
E 900278.13  
LAT 37.154541  
LON -82.274496  
NAD 83 COORDINATES  
N 3601850.37  
E 10383262.71

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.



**WELL LOCATION PLAT**

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-537868(57A0)  
TRACT No. LEASE NO. 242008L ELEVATION 1906.40 (GPS) QUADRANGLE HAYS  
COUNTY DICKENSON DISTRICT SANDLICK SCALE: 1" = 400' DATE MAY 12, 2008  
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* 5-12-08

(AFFIX SEAL)

T&L

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

DB 586 PG360

①

Lease No. 242008L  
NELSON & MINNIE EDWARDS - Surface, Oil, Gas (CBM)  
51.10 ACRES  
LEASE No. 906889 / TC-181  
JOHN HAY  
148.40 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA  
LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - Coal  
RANGE RESOURCES-PINE MOUNTAIN INC. - (CBM)  
GAS 34.99 AC. - 59.54%

②

Lease No. 906889 / T-303  
JOHN HAY  
199.61 ACRES  
HEARTWOOD FORESTLAND FUND IV, LP - Surface  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND &  
RESERVES, LLC/ACIN, LLC/WBRD, LLC - Coal  
RANGE RESOURCES-PINE MOUNTAIN INC. - Oil, Gas & CBM  
GAS 2.59 AC. - 4.41%

③

Unleased  
DOMINION MINING COMPANY - Coal, Oil, Gas & CBM  
RURAL FULLER & RUTH ANN FULLER - Surface  
35.50 ACRES  
GAS 3.76 AC. - 6.40%

④

Lease No. 906889 / T-437  
FLOYD VIERS & A. OWENS  
182.55 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND &  
RESERVES, LLC/ACIN, LLC/WBRD, LLC - Coal  
RANGE RESOURCES-PINE MOUNTAIN INC. - Oil, Gas & CBM  
GAS 1.54 AC. - 2.62%

⑤

UNLEASED  
BOBBY & DIXIE EDWARDS, et al - Surface, Oil, Gas (CBM)  
34.00 ACRES  
LEASE No. 906889 / TC-181  
JOHN HAY  
148.40 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND &  
RESERVES, LLC/ACIN, LLC/WBRD, LLC - Coal  
RANGE RESOURCES-PINE MOUNTAIN, INC. - (CBM)  
GAS 7.06 AC. 12.01%

⑥

UNLEASED  
KEVIN OWENS, et al - Surface, Oil, Gas (CBM)  
34.00 ACRES  
LEASE No. 906889 / TC-181  
JOHN HAY  
148.40 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND  
& RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal  
RANGE RESOURCES-PINE MOUNTAIN, INC. - (CBM)  
GAS 2.20 AC. 3.74%

⑦

UNLEASED  
ROSCOE EDWARDS, et al - Surface, Oil, Gas (CBM)  
42.00 ACRES  
LEASE No. 906889 / TC-181  
JOHN HAY  
148.40 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND &  
RESERVES, LLC/ACIN, LLC/WBRD, LLC - Coal  
RANGE RESOURCES-PINE MOUNTAIN INC. - (CBM)  
GAS 6.63 AC. - 11.28%



THOMPSON & LITTON

312 Clintwood Main Street  
Suite 201  
P.O. Box 1869  
Clintwood, Virginia 24228

**EQUITABLE PRODUCTION COMPANY**  
**WELL No. VC-537868**  
**WELL PLAT SUPPLEMENT**  
**SHEET 2**

PROJECT No.:  
9568-11

SCALE: 1" = 400'

DATE: MAY 12, 2008

**Exhibit E**  
**VGOB 08-0318-2179**  
**537868**  
**05/06/21**

Current Disbursement 02

<u>TRACT</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

N/A

**No Further Escrowing Needed**

**Exhibit EE**  
**VGOB 08-0318-2179**  
**537868**  
**05/06/21**

Current Disbursement 02

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>3</u> Tax ID Min Only	Dominion Mining Company UNKNOWN	Unleased	6.40000000%	3.76000000
<u>6</u> Tax ID 11328	James P Hay Heirs UNKNOWN	Unleased	0.31166700%	0.18330000
	A McClellan Hay Heirs UNKNOWN	Unleased	0.31166700%	0.18330000
	Columbus Hay Heirs UNKNOWN	Unleased	0.31166700%	0.18330000
	Pheby Hay Heirs UNKNOWN	Unleased	0.31166700%	0.18330000
<u>7</u> Tax ID 3435	James P Hay Heirs UNKNOWN	Unleased	0.94000000%	0.55250000
	A McClellan Hay Heirs UNKNOWN	Unleased	0.94000000%	0.55250000
	Columbus Hay Heirs UNKNOWN	Unleased	0.94000000%	0.55250000
	Pheby Hay Heirs UNKNOWN	Unleased	0.94000000%	0.55250000
<b>Total Gas Estate</b>			<b>11.40666800%</b>	<b>6.70320000</b>

21  
ACV

DB 586 PG363

INSTRUMENT 210000685  
RECORDED IN THE CLERK'S OFFICE OF  
DICKENSON CIRCUIT COURT ON  
JUNE 17, 2021 AT 10:29 AM  
RICHARD W. EDWARDS, CLERK  
RECORDED BY: CJB