



**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:** 536427

**TRACT(S):** A portion of 002, A portion of 003

**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-08-0415-2201-02

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

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

**PRIOR PROCEEDINGS:**

- 1. Original Pooling Order Executed 10/01/2008, Recorded on 10/17/2008, Deed Book/Instrument No. 459, Page 37, County DICKENSON.
- 2. Supplemental Order, Recorded on 07/23/2010, Deed Book/Instrument No. 478, Page 772, County DICKENSON.
- 3. Disbursement Order -01 Executed 03/23/2016, Recorded on 04/26/2016, Deed Book/Instrument No. 535, Page 864, 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) A portion of 002, A portion of 003 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 002, A portion of 003 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 536427

VGOB-08-0415-2201-02

Table 1

Tracts: A portion of 002, A portion of 003

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed	Adjustment Amount
		Total acreage in escrow before disbursement				9.65330		
002 Tract 002 (total acreage)			28.8800					
1	002	James P Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		2.4067	100.00%	2.4067	24.9314%	
2	002	A McClellan Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		2.4067	100.00%	2.4067	24.9314%	
3	002	Columbus Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		2.4067	100.00%	2.4067	24.9314%	
4	002	Pheby Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		2.4067	100.00%	2.4067	24.9314%	
003 Tract 003 (total acreage)			0.0800					
1	003	James P Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0067	100.00%	0.0067	0.0694%	
2	003	A McClellan Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0067	100.00%	0.0067	0.0694%	
3	003	Columbus Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0067	100.00%	0.0067	0.0694%	
4	003	Pheby Hay Unknown Heirs c/o Virginia Department of Treasury \Unclaimed Property Division; PO Box 2478; Richmond; VA 23218-2478		0.0067	100.00%	0.0067	0.0694%	

**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.

DONE AND EXECUTED this 25 day of January, 2021 by a majority of the Virginia Gas and Oil Board.



Interim Chairman, Donald L. Ratliff

DONE AND PERFORMED this 25 day of January, 2021 by Order of the Virginia Gas and Oil Board.



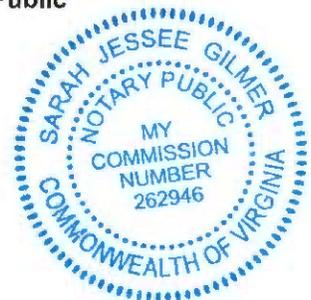
James P. Skorupa  
Principal Executive to the staff,  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 25<sup>th</sup> day of January, 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 and appeared James P. Skorupa, 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 08-0415-2201-02

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 002, A portion of 003 (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: 536427

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.

08 592 PG 257

7906'

LATITUDE 37°10'00"

LONGITUDE 82°15'00"

6739'

TOTAL UNIT AREA  
= 58.77 ACRES

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

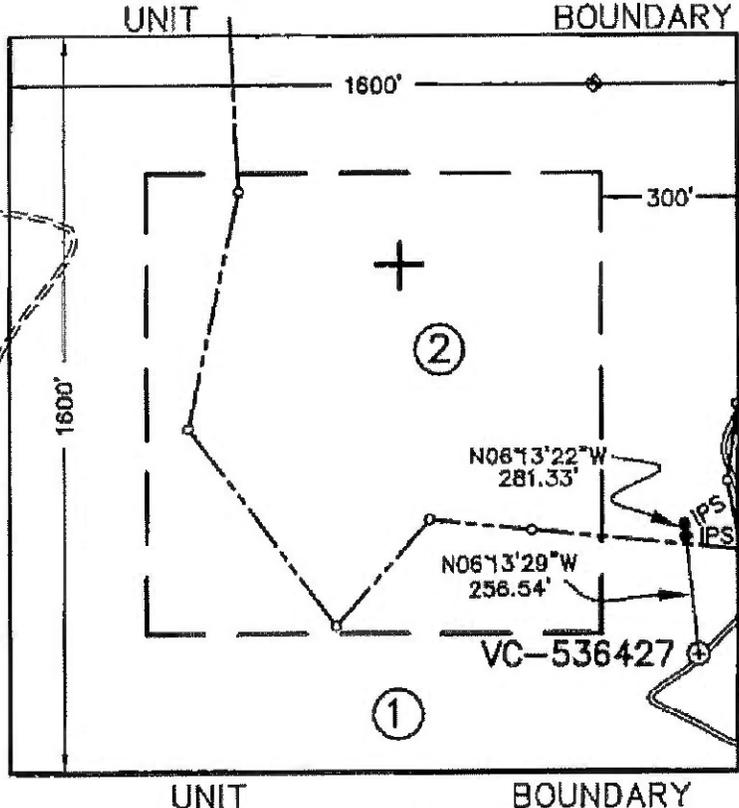
**FINAL PLAT**

The undersigned hereby certifies that the final location is within ten (10) feet of the location shown on the well plat dated FEBRUARY 29, 2008.

LEASE No. 907884  
ROSCOE EDWARDS, et ux (2/3 int.) - surface, oil, gas (CBM)  
42.00 ACRES  
Unleased  
JAMES P. HAY HEIRS, et al (1/3 int.) - surface, oil, gas (CBM)  
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 28.88 AC. 49.14%



LEASE No. 906889 / T-303  
JOHN HAY  
199.61 ACRES  
HEARTWOOD FORESTLAND FUND IV, L.P. - surface  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal RANGE  
RESOURCES-PINE MOUNTAIN, INC. - oil, gas & CBM  
GAS 29.81 AC. 50.72%

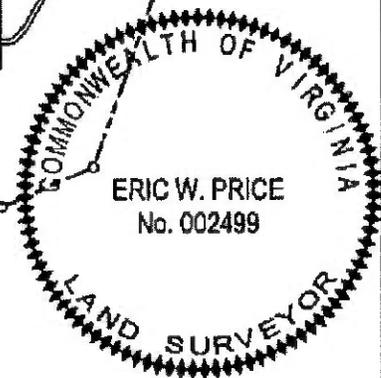


LEASE No. ---  
KEVIN OWENS, et al  
34.00 ACRES  
KEVIN OWENS, et al - surface, oil & gas (CBM)  
LEASE No. 906889 / TC-181  
JOHN HAY  
148.40 ACRES  
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND & RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal RANGE  
RESOURCES-PINE MOUNTAIN, INC. - (CBM)  
GAS 0.08 AC. 0.14%

AS-DRILLED CCC COORDINATES OF WELL VC-536427  
N 17555.82  
E 31013.10

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

AS-DRILLED STATE PLANE NAD 27 COORDINATES OF WELL VC-536427  
N 318684.54  
E 899424.70  
LAT 37.148168  
LON -82.277108  
NAD 83 COORDINATES  
N 3599562.25  
E 10382409.28



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-536427(56AP)

TRACT No. LEASE NO. 906889 / T-303 ELEVATION 1719.69 (GPS) QUADRANGLE HAYS1

COUNTY DICKENSON DISTRICT SANDLICK SCALE: 1" = 400' DATE AUGUST 4, 2008

THIS PLAT IS A NEW PLAT ; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT

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* 8-4-08

(AFFIX SEAL)

T&L

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

**Exhibit E**  
**VGOB 08-0415-2201**  
**536427**  
**01/22/21**

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 08-0415-2201**  
**536427**  
**01/22/21**

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>2</u>	James P. Hay Heirs Unknown/Unlocatable	Unleased	4.0950%	2.4067
<u>Tax ID</u> <u>3435</u>	A. McClellan Hay Heirs Unknown/Unlocatable	Unleased	4.0950%	2.4067
	Columbus Hay Heirs Unknown/Unlocatable	Unleased	4.0950%	2.4067
	Pheby Hay Heirs Unknown/Unlocatable	Unleased	4.0950%	2.4067
	<b><u>Tract 2 Totals</u></b>		<b>16.3800%</b>	<b>9.6267</b>
<u>3</u>	James P. Hay Heirs Unknown/Unlocatable	Unleased	0.0117%	0.0067
<u>Tax ID</u> <u>11328</u>	A. McClellan Hay Heirs Unknown/Unlocatable	Unleased	0.0117%	0.0067
	Columbus Hay Heirs Unknown/Unlocatable	Unleased	0.0117%	0.0067
	Pheby Hay Heirs Unknown/Unlocatable	Unleased	0.0117%	0.0067
	<b><u>Tract 3 Totals</u></b>		<b>0.0467%</b>	<b>0.0267</b>
	<b>Total Gas Estate</b>		<b>16.4267%</b>	<b>9.6533</b>

\$20  
ACV

DB 582 PG 260

INSTRUMENT 210000134  
RECORDED IN THE CLERK'S OFFICE OF  
DICKENSON CIRCUIT COURT ON  
FEBRUARY 5, 2021 AT 02:17 PM  
RICHARD W. EDWARDS, CLERK  
RECORDED BY: CJB