

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: 538729

TRACT(S): 003

LOCATION: BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-18-0417-4170-01

**APPLICANTS:**

EnerVest Operating, LLC on behalf of Lovis Ball Brown Heirs

**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@irs.virginia.gov](mailto:UCPmail@irs.virginia.gov)

**APPEARANCES:**

Tim Scott on behalf of EnerVest Operating, LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 05/02/2018, Recorded on 05/14/2018, Deed Book/Instrument No. 180000871, County BUCHANAN.

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2. Supplemental Order Executed 07/09/2018, Recorded on 08/09/2018, Deed Book/Instrument No. 180001329, County BUCHANAN.

**NOTICE:**

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

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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.

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DONE AND EXECUTED this 28 day of September, 2021 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

DONE AND PERFORMED this 28 day of September, 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 28<sup>th</sup> day of September, 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, 2025



## BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: EnerVest Operating, LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 18-0417-4170-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 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: 538729

BUCHANAN 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.

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**6. Attestation**

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

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1,480'

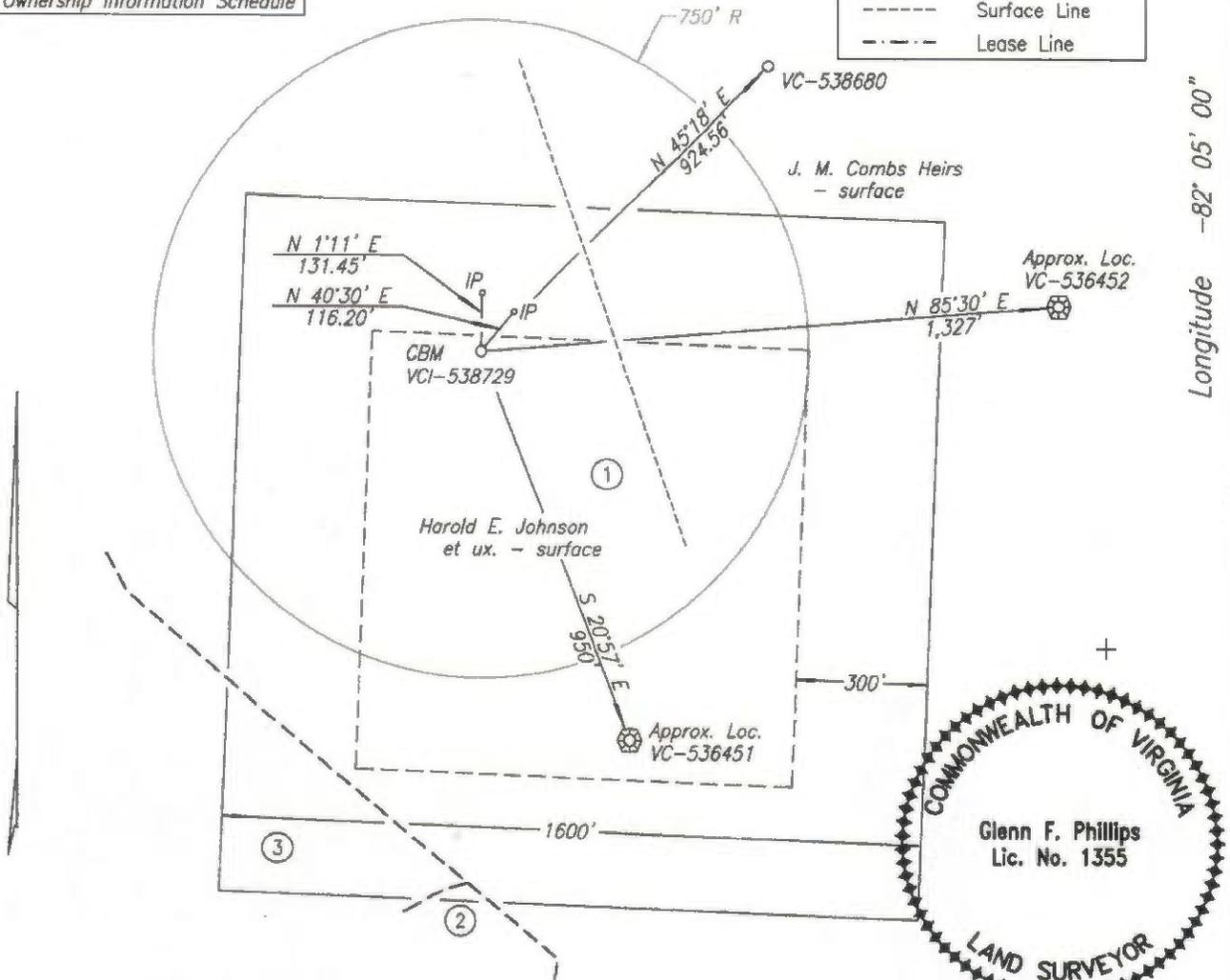
Well Coordinates: (Geographic NB3)  
37.058767° -82.088261°

Well Coordinates: (UTM N27, Zone 17)  
N 13,457,092.71 E 1,322,924.90

Latitude 37° 05' 00"

Note: See Attached Tract  
Ownership Information Schedule

---	Mineral Line
----	Surface Line
-.-.-	Lease Line



Longitude -82° 05' 00"

8,985'

Note 1: The boundary lines shown hereon are based on deeds, plats and maps of record and do not depict a current boundary survey.

Note 2: The well will be drilled within 10' of the permitted coordinates.

Note 3: Well spot is 34.65' south of interior grid line

Well elevation determined by GPS survey from HARN Monument P-424

Area of Unit = 58.77 Ac.

Well Coordinates: (VA St. Plane S. Zone, NAD 83 (1993))  
N 3,564,850.01 E 10,436,129.55

Well Coordinates: (VA St. Plane S. Zone, NAD 27 Calculated from NAD 83 (1993))  
N 283,973.94 E 953,142.90

Well Coordinates: (Clinchfield Coal Co.)  
S 15,034.66 E 86,051.14

WELL LOCATION PLAT NORA GRID BK-91

COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER VCI-538729  
 TRACT NO. T-603 ELEVATION 2,340.29' QUADRANGLE Big A Mountain  
 COUNTY Buchanan DISTRICT Hurricane SCALE 1" = 400' DATE 10-24-2017

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.

Licensed Professional Engineer or Licensed Land Surveyor

Glenn F Phillips  
 Digitally signed by Glenn F Phillips  
 DN: cn=US, o=Glenn F Phillips  
 Business Representative,  
 ou=GLENN F. PHILLIPS COMPANY  
 P.C., cn=Glenn F Phillips,  
 0.9.2342.19200300.100.1.1=A0109  
 800000013B66EF837500006DD  
 Date: 2018.03.15 08:21:02 -0400

VCI-538729 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
10/24/2017

1. T-603  
J. M. & L. L. McFarland  
350 Acres  
ACIN LLC - coal (except Tiller seam)  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal (except Tiller seam)  
Dickenson-Russell Contura, LLC - coal lessee  
Mullins Land & Mineral, Inc. - coal (Tiller seam only)  
EnerVest Energy Institutional Fund XIV-A, L.P., EnerVest Energy Institutional Fund XIV-A1, L.P., &  
EnerVest Energy Institutional Fund XIV-WIC, L.P. - oil, gas & CBM  
Gas 55.27 Ac. 94.04%
  
2. TC-236  
Cornelius Ball  
220 Acres  
ACIN LLC - coal (except Tiller seam)  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal (except Tiller seam)  
Dickenson-Russell Contura, LLC - coal lessee  
Mullins Land & Mineral, Inc. - coal (Tiller seam only)  
Lease No. 967220 (Partially Leased)  
Cornelius Ball Heirs - oil, gas & CBM  
0.75 Acres  
Gas 0.08 Ac. 0.14%
  
3. TC-236  
Cornelius Ball  
220 Acres  
ACIN LLC - coal (except Tiller seam)  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal (except Tiller seam)  
Dickenson-Russell Contura, LLC - coal lessee  
Mullins Land & Mineral, Inc. - coal (Tiller seam only)  
Lease No. 967220 (Partially Leased)  
Cornelius Ball Heirs - oil, gas & CBM  
59.25 Acres  
Gas 3.42 Ac. 5.82%

EXHIBIT E  
VGOB 18-0417-4170-01  
538729  
6/29/2021

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

Escrowing No Longer Required

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EXHIBIT EE  
VGOB 18-0417-4170-01  
538729  
6/29/2021

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
		<u>Disbursement 01</u>		
<u>3</u>	Lovis Ball Brown Heirs <i>Tax ID - Minerals Only</i>	Unleased	0.831429%	0.48857143
	<b>TOTAL GAS ESTATE</b>		<b>0.8314%</b>	<b>0.48857143</b>
	<b>TOTAL DISBURSEMENT 01</b>		<b>0.8314%</b>	<b>0.48857143</b>

#2  
ACL

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INSTRUMENT 210001200  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY CIRCUIT COURT ON  
SEPTEMBER 29, 2021 AT 01:49 PM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: SGE