

Instrument Control Number

20190529100100

Instrument 201905291  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Nov 21, 2019 at 04:25 PM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy  
**(Box For Deed Stamp Only)**

# Commonwealth of Virginia

Land Record Instrument  
Cover Sheet-Form A

[efileCX mxCourt 1.0]

Instrument Type: [ODU ]  
Number of Parcels [1]  
Number of Pages [15]  
City  County  [Wise County/City of Norton, VA]

### First and Second Grantors

Last Name	First Name	Middle Name	Suffix
[VIRGINIA GAS & OIL BOARD ]	[ ]	[ ]	[ ]

### First and Second Grantees

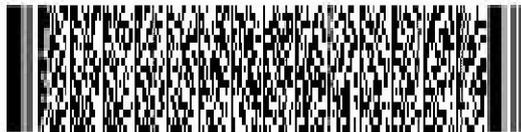
Last Name	First Name	Middle Name	Suffix
[ENERVEST OPERATING LLC ]	[ ]	[ ]	[ ]

Grantee Address (Name) [ENERVEST OPERATING LLC ]  
(Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Consideration[00.00 ] Assessed Value[00.00 ]

Prior Instr. Recorded at: City  County  Other   
Book [0000 ] Page[00000 ] Instr. No.[ ]  
Parcel Identification no. {PIN} [000000 ]  
Short Property Description [SEE DOCUMENT ]  
Current Property Address (Address1) [P. O. BOX 0000 ]  
(Address2) [ ]  
(City, State, Zip) [WISE ] [VA ] [00000 ]

Instrument Prepared by [DEPARTMENT OF MINES, MINERALS AND ENERGY ]  
Recording Paid for by [DEPARTMENT OF MINES, MINERALS AND ENERGY ]  
Return Recording to (Name) [DEPARTMENT OF MINES, MINERALS AND ENERGY ]  
(Address1) [135 HIGHLAND DRIVE ]  
(Address2) [ P. O. DRAWER 159 ]  
(City, State, Zip) [LEBANON ] [VA ] [24266 ]



INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING  
ELECTIONS: V-536901  
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-19-0917-4221

### REPORT OF BOARD

### FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992 at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirements of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on September 25, 2019, and recorded as Instrument No. 201904382 in the Office of the Clerk of the Circuit Court for Wise County, Virginia on October 1, 2019, (herein "Board Order") and (2) to complete the record regarding elections. The Board Order established a drilling unit and pooled all interests in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 *et seq.*, Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
  - (a) The Board Order directed EnerVest Operating, LLC, (herein the "Designated Operator"), to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by said Board Order;
  - (b) The Designated Operator filed its affidavit of mailing dated November 18, 2019, disclosing that it mailed to all parties listed on

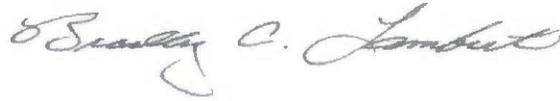
Exhibit B-3 the Board Order by certified mail return receipt requested on October 1, 2019;

- (c) The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated November 18, 2019, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.7C (herein "Affidavit of Elections" annexed hereto), wherein it has, for each Respondent whose interests, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election(s) made, if any; and (iii) whether, by reason of failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Designated Operator;
- (d) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, First Bank and Trust Company, 38 East Valley Street, Bristol, VA 24201; Tel: (276) 466-9222; Attn: Jody Maney, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated July 18, 2006. The Affidavit of Elections indicates that the escrow of funds is required with regard to Well No. V-536901.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at Paragraph 2 above, to the extent escrow was required and to the extent it pertained to the elections and interests of the Respondents who have entered into a royalty split agreement and no longer require escrow of any funds, the Applicant is hereby directed to provide the Board with reconciliation of its and the Escrow Agent's records so that any funds affected by this Order may be disbursed in an appropriate manner.
4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Supplemental Order stating that a true and correct copy of this Supplemental Order was mailed within seven (7) days from the date of

receipt of this Supplemental Order to each Respondent whose address is known.

5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and **IT IS SO ORDERED**.
6. Effective Date: This Supplemental Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

DONE AND EXECUTED this 20 day of November, 2019 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

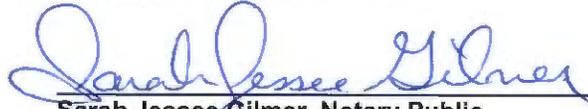
DONE AND PERFORMED this 20 day of November, 2019 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 20<sup>th</sup> day of November, 2019, 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 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



**VIRGINIA:****BEFORE THE VIRGINIA GAS AND OIL BOARD**

IN RE: Application of EnerVest Operating, LLC, for the Establishment of a Drilling Unit and the Forced Pooling of Interests in V-536901, Docket No. VGOB-19-0917-4221 in the Gladeville District, Pound Quadrangle, Wise County, Virginia.

**AFFIDAVIT OF TIMOTHY E. SCOTT, Attorney-at-Law, Agent for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER**

Timothy E. Scott (herein Affiant), being duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law and the Agent for the Designated Operator, with offices located at 135 W. Main Street, Suite 200, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on September 25, 2019, by the Virginia Gas and Oil Board regarding the captioned conventional gas unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed and recorded copy of the Order referred to at Paragraph 2, above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender written notice of their election of the option selected under Paragraph 9 of the Order to the Designated Operator within thirty (30) days from the date of receipt of a copy of the recorded Order;
5. That the Designated Operator, by and through its agent, Timothy E. Scott, Attorney-at-Law, has established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made

with regard to Subject Drilling Unit; that the following persons or entities delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day elections period:

NONE

6. That the interest and/or claims of the following persons or entities (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, as unknown or unlocatable or such interest is the subject of a conflict:

NONE

7. That after the pooling hearing held in the captioned matter, the following persons or entities have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims:

NONE

8. That the Designated Operator with regard to persons previously requiring the services of the Escrow Agent have now reached an agreement regarding their interests or claims that allows Applicant/Designated Operator to make royalty distribution without the need to escrow funds which would otherwise be in conflict:

See Exhibit E

9. That the Respondents identified in Exhibit B-3 hereto have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective oil and gas rights, interests and claims shall be deemed to have leased to Applicant/Designated Operator pursuant to and in accordance with Paragraph 10 of the Board Order dated September 25, 2019:

See Exhibit B-3

10. The Designated Operator requests that the following persons be dismissed as Respondents:

NONE

That pursuant to the provisions of 4VAC 25-160.70.A.10 and .C and VAC 25-160-80, annexed hereto and incorporated herein is a proposed supplemental order to

be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are in this matter pursuant to the terms of §§ 45.1-361.21.D and 45.1-361.22.A.3 and .4.

Dated at Kingsport, Tennessee, this 18<sup>th</sup> day of November, 2019.

*Timothy E. Scott*  
\_\_\_\_\_  
Timothy E. Scott, Affiant

Taken, subscribed and sworn to before me by Timothy E. Scott, the Agent for EnerVest Operating, LLC, a limited liability company, on behalf of the limited liability company, this 18th day of November, 2019.

*Angela Hawkins*  
\_\_\_\_\_  
Notary Public

My commission expires: 4-6-20

[f:\msword2000\enervest\2019\W-536901.supportorder&aff]



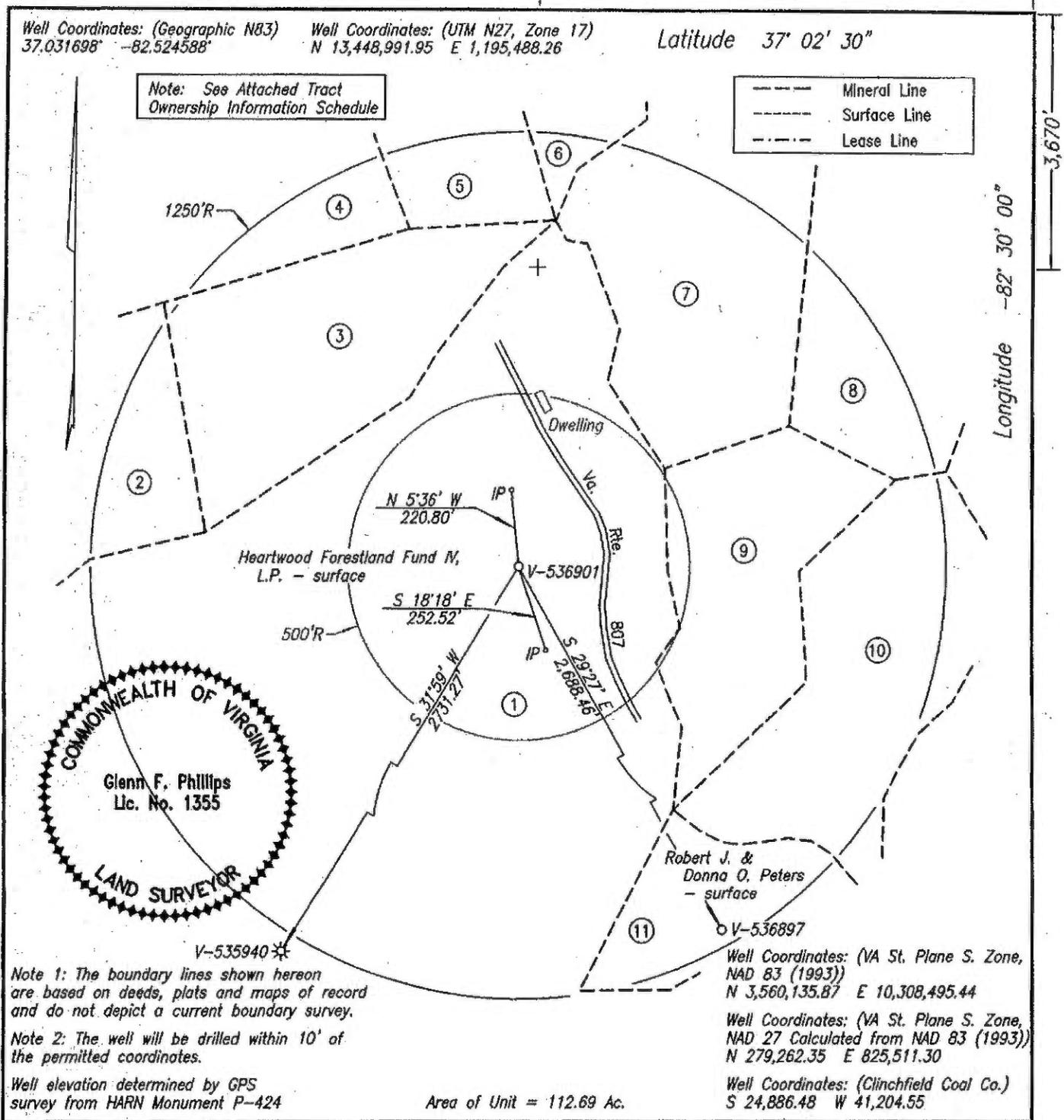
EXHIBIT A  
2400-R-557  
V-536901  
VGOB-19-0917-4221

Well Coordinates: (Geographic N83) 37,031698° -82,524588°  
Well Coordinates: (UTM N27, Zone 17) N 13,448,991.95 E 1,195,488.26

Latitude 37° 02' 30"

Note: See Attached Tract Ownership Information Schedule

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



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.

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

Area of Unit = 112.69 Ac.

Well Coordinates: (VA St. Plane S. Zone, NAD 83 (1993))  
N 3,560,135.87 E 10,308,495.44

Well Coordinates: (VA St. Plane S. Zone, NAD 27 Calculated from NAD 83 (1993))  
N 279,262.35 E 825,511.30

Well Coordinates: (Clinchfield Coal Co.)  
S 24,886.48 W 41,204.55

WELL LOCATION PLAT NORA GRID BQ-11

COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER V-536901  
TRACT NO. T-883 ELEVATION 2,335.02' QUADRANGLE Pound  
COUNTY Wise DISTRICT Gladeville SCALE 1" = 400' DATE 4-29-2019

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: c=US, o=GLENN F. PHILLIPS COMPANY P.C., ou=201427000001166C6003282, email=20190430121754-0400

Exhibit A  
2400-R-557  
V-536901  
VGOB-19-0917-4221

V-536901 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
4/29/2019

1. T-883  
D. A. Stallard  
108.87 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
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  
Gas 56.17 Ac. 49.85%
2. Unleased  
Charles D. Hall - oil & gas  
12 Acres  
Gas 3.08 Ac. 2.73%
3. Unleased  
Thomas Dotson - oil & gas  
15 Acres  
Gas 11.08 Ac. 9.83%
4. Unleased  
Thomas Dotson - oil & gas  
± 45 Acres  
Gas 2.31 Ac. 2.05%
5. Unleased  
Mary Jane Hall Heirs - oil & gas  
4 Acres  
Gas 2.50 Ac. 2.22%
6. Unleased  
Thomas Dotson - oil & gas  
P/O 29.44 Acres  
Gas 0.59 Ac. 0.52%
7. Unleased  
Darrell and Sheila Osborne - oil & gas  
22.5 Acres  
Gas 10.23 Ac. 9.08%
8. WI-294  
C. F. Flanary Tr.  
56.033 Acres  
KRP Marcellus I, LLC et al. - oil & gas  
Unleased  
Gas 3.60 Ac. 3.20%

<p style="text-align: center;">Exhibit A 2400-R-557 V-536901 VGOB-19-0917-4221</p>
--

9 . D. A. Stallard  
 73 Acres  
 ACIN LLC - coal  
 Paramount Contura, LLC - coal lessee  
 WBRD LLC - coal  
 Dickenson-Russell Contura, LLC - coal lessee  
 Unleased  
 Darrell & Sheila Osborne - oil & gas  
 7.196 Acres  
 Gas 8.97 Ac.    7.96%

10 . D. A. Stallard  
 73 Acres  
 Unleased  
 Darrell Osborne - oil & gas  
 ± 14.118 Acres  
 Gas 9.93 Ac.    8.81%

11 . D. A. Stallard  
 73 Acres  
 Unleased  
 Robert J. & Donna O. Peters - oil & gas  
 8.686 Acres  
 Gas 4.23 Ac.    3.75%

**Exhibit "B"**  
**V-536901**  
**Docket Number: 19-0917-4221**  
**Revised 9/9/2019**

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage In Unit
<b>Gas Estate Only</b>				
1	EnerVest Energy Institutional Fund XIV-A, L.P. & EnerVest Energy Institutional Fund XIV-WIC, L.P. Attn: Kevin Miller 408 West Main Street Abingdon, VA 24210 Tax # Minerals Only	Owner	49.85000000	56.17000000
2	Charles D. Hall P.O. Box 2513 Wise, VA 24293 Tax # R010606	Unleased	2.73000000	3.08000000
3	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	9.83000000	11.08000000
4	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	2.05000000	2.31000000
5	Tax # Minerals Only Mary Jane Hall Heirs: Charles L. Hall 10600 Birchfield Rd Wise, VA 24293	Unleased	0.74000000	0.83333333
	Ocie Adams Heirs Unknown	Unleased	0.74000000	0.83333333
	W. Arvil Hall Heirs Unknown	Unleased	0.74000000	0.83333333
	<b>Tract 5 Totals</b>		<b>2.22000000</b>	<b>2.50000000</b>
6	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	0.52000000	0.59000000
7	Darrell & Sheila Osborne	Unleased	9.08000000	10.23000000

**Exhibit "B"**  
**Well No. V-536901**  
**VGOB-19-0917-4221**  
**2400-R-557**

10600 Richey Rd  
 Wise, VA 24293  
 Tax # R010529

8	Tax # Minerals Only KRP Marcellus I, LLC 777 Taylor Street, Suite 810 Fort Worth, TX 76102	Unleased	1.22092800	1.37354400
	Rivercrest Royalties II, LLC 777 Taylor Street, Suite 810 Fort Worth, TX 76102	Unleased	0.84787200	0.95385600
	Diversified Rox Minerals, LLC C/O MSW Royalties, LLC 306 West 7th Street, Suite 901 Fort Worth, TX 76102	Unleased	0.83254400	0.93661200
	BRD Royalty Holdings, LLC 2777 Stemmons Freeway, Suite 1133 Dallas, TX 75207	Unleased	0.10240000	0.11520000
	Amon G Carter Foundation PO Box 1036 Fort Worth, TX 76101	Unleased	0.19625600	0.22078800
	<b>Tract 8 Totals</b>		<b>3.20000000</b>	<b>3.60000000</b>
9	Darrell & Sheila Osborne 10600 Richey Rd Wise, VA 24293 Tax # R031477	Unleased	7.96000000	8.97000000
10	Darrell & Sheila Osborne 10600 Richey Rd Wise, VA 24293 Tax # R011110	Unleased	8.81000000	9.93000000
11	Donna Peters Whitaker 10540 Camby Ln Wise, VA 24293 Tax # R037858	Leased	3.75000000	4.23000000
	<b>TOTAL GAS ESTATE</b>		<b>100.00000000</b>	<b>112.69000000</b>
	Percentage of Unit Leased		53.60000000	
	Percentage of Unit Unleased		46.40000000	
	Acreage in Unit Leased			60.40000000
	Acreage in Unit Unleased			52.29000000

## Exhibit "B-3" - Unleased Owners

V-536901

Docket Number: 19-0917-4221

Revised 9/9/2019

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
<b>Gas Estate Only</b>				
2	Charles D. Hall P.O. Box 2513 Wise, VA 24293 Tax # R010606	Unleased	2.73000000	3.08000000
3	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	9.83000000	11.08000000
4	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	2.05000000	2.31000000
5	Tax # Minerals Only Mary Jane Hall Heirs: Charles L. Hall 10600 Birchfield Rd Wise, VA 24293	Unleased	0.74000000	0.83333333
	Ocie Adams Heirs Unknown	Unleased	0.74000000	0.83333333
	W. Arvil Hall Heirs Unknown	Unleased	0.74000000	0.83333333
<b>Tract 5 Totals</b>			<b>2.22000000</b>	<b>2.50000000</b>
6	Thomas Dotson Living Trust 305 Hill Rd Southern Pines, NC 28387 Tax # Minerals Only	Unleased	0.52000000	0.59000000
7	Darrell & Sheila Osborne 10600 Richey Rd Wise, VA 24293 Tax # R010529	Unleased	9.08000000	10.23000000
8	Tax # Minerals Only			

Exhibit "B-3"  
Well No. V-536901  
VGOB-19-0917-4221  
2400-R-557

KRP Marcellus I, LLC 777 Taylor Street, Suite 810 Fort Worth, TX 76102	Unleased	1.22092800	1.37354400
Rivercrest Royalties II, LLC 777 Taylor Street, Suite 810 Fort Worth, TX 76102	Unleased	0.84787200	0.95385600
Diversified Rox Minerals, LLC C/O MSW Royalties, LLC 306 West 7th Street, Suite 901 Fort Worth, TX 76102	Unleased	0.83254400	0.93661200
BRD Royalty Holdings, LLC 2777 Stemmons Freeway, Suite 1133 Dallas, TX 75207	Unleased	0.10240000	0.11520000
Amon G Carter Foundation PO Box 1036 Fort Worth, TX 76101	Unleased	0.19625600	0.22078800
<b>Tract 8 Totals</b>		<b>3.20000000</b>	<b>3.60000000</b>
9 Darrell & Sheila Osborne 10600 Richey Rd Wise, VA 24293 Tax # R031477	Unleased	7.96000000	8.97000000
10 Darrell & Sheila Osborne 10600 Richey Rd Wise, VA 24293 Tax # R011110	Unleased	8.81000000	9.93000000
<b>TOTAL GAS ESTATE</b>		<b>46.40000000</b>	<b>52.29000000</b>

**Exhibit "E" - Escrow Owners**

**V-536901**

**Docket Number: 19-0917-4221**

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
<b>Gas Estate Only</b>				
5	Tax # Minerals Only Mary Jane Hall Heirs: Ocie Adams Heirs Unknown	Unleased	0.74000000	0.83333333
	W. Arvil Hall Heirs Unknown	Unleased	0.74000000	0.83333333
<b>TOTAL GAS ESTATE</b>			1.48000000	1.66666667

Instrument 201905291  
Recorded in the Clerk s Office of  
Wise County and the City of Norton  
On Nov 21, 2019 at 04:25 PM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy