

230000950

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.2-1628

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING
ELECTIONS: VC-538420
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-22-0621-4242-01

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 April 5, 2023, and recorded as Instrument No. 230000452 in the Office of the Clerk of the Circuit Court for Buchanan County, Virginia on April 17, 2023, (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, § 45.2-1600 *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 May 30, 2023 disclosing that it was unable to notify the parties listed on

Exhibit B-3 the Board Order within seven (7) days of receipt of said Board Order by the Unit Operator as all parties are unknown and/or unlocatable;

- (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 May 30, 2023, 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, 667 West Main Street, Abingdon, VA 24210; 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 April 5, 2023. The Affidavit of Elections indicates that the escrow of funds **is not** required with regard to Well No. VC-538420.
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

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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.

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

IN RE: Application of EnerVest Operating, LLC, for the Forced Pooling of Interests in VC-538420, Docket No. VGOB-22-0621-4242-01 in the Hurricane District, Big A Mountain Quadrangle, Buchanan 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 at 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 April 5, 2023, 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 Big Stone Gap, 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:

NONE

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 coalbed methane 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 April 5, 2023:

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

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be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent **are not required** in this matter pursuant to the terms of §§ 45.2-1620 and 45.2-1622.

Dated at Kingsport, Tennessee, this 30th day of May, 2023.



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 30th day of May, 2023.



Notary Public

My commission expires: 3/31/2027

[f:mword2000\enervest\2023\pooling.VC-538420.supporder&aff]



DONE AND EXECUTED this 13 day of June, 2023 by a majority of the Virginia Gas and Oil Board.

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Interim Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 13th day of June, 2023, 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 14 day of June, 2023 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 14th day of June, 2023, 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 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**IN RE:**

**Application of EnerVest Operating, LLC
for the Pooling of Interests in
Well No. VC-538420
Docket No. VGOB-22-0621-4242-01
Hurricane District, Big A Mountain Quadrangle,
Buchanan County, Virginia**

AFFIDAVIT OF MAILING

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

1. That the Affiant is an attorney and the Agent for EnerVest Operating, LLC, with offices located at 135 W. Main Street, Suite 200, Kingsport, Tennessee 37660; that your affiant, as one of his duties, is required to mail notices to persons required to be notified of hearings before and of decisions made by the Virginia Oil and Gas Board (hereinafter the "Board");

2. That Paragraph eighteen (18) of a Board Order made in the above-captioned matter effective as of the 5th day of April, 2023, and recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia, on the 17th day of April, 2023 as Instrument No. 230000452 directed EnerVest Operating, LLC, or its Attorney to cause a copy of said Order as entered by the Board to be mailed to the last known address of each Respondent listed in Exhibit B-3 of the said Order within seven (7) days of receipt by the Unit Operator;

3. That your affiant was unable to mail a copy of the Order referred to in Paragraph "2" above in compliance with the Board's Order by certified mail return receipt requested to the parties respondent named therein within seven (7) days of receipt by the Unit Operator as such parties are unknown and/or unlocatable;

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4. That Paragraph eight (8) of the Board's Order required that each owner to whom a copy of the Board's Order was mailed as described above deliver a written election to EnerVest Operating, LLC within thirty (30) days of the date on which copies of the Order were mailed by Timothy E. Scott, Agent for EnerVest Operating, LLC.

Dated at Kingsport, Tennessee, this 30th day of May, 2023.


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 30th day of May, 2023.


Notary Public

My commission expires: 3/31/2027



VC-538420
22-0621-4242-01

Exhibit A

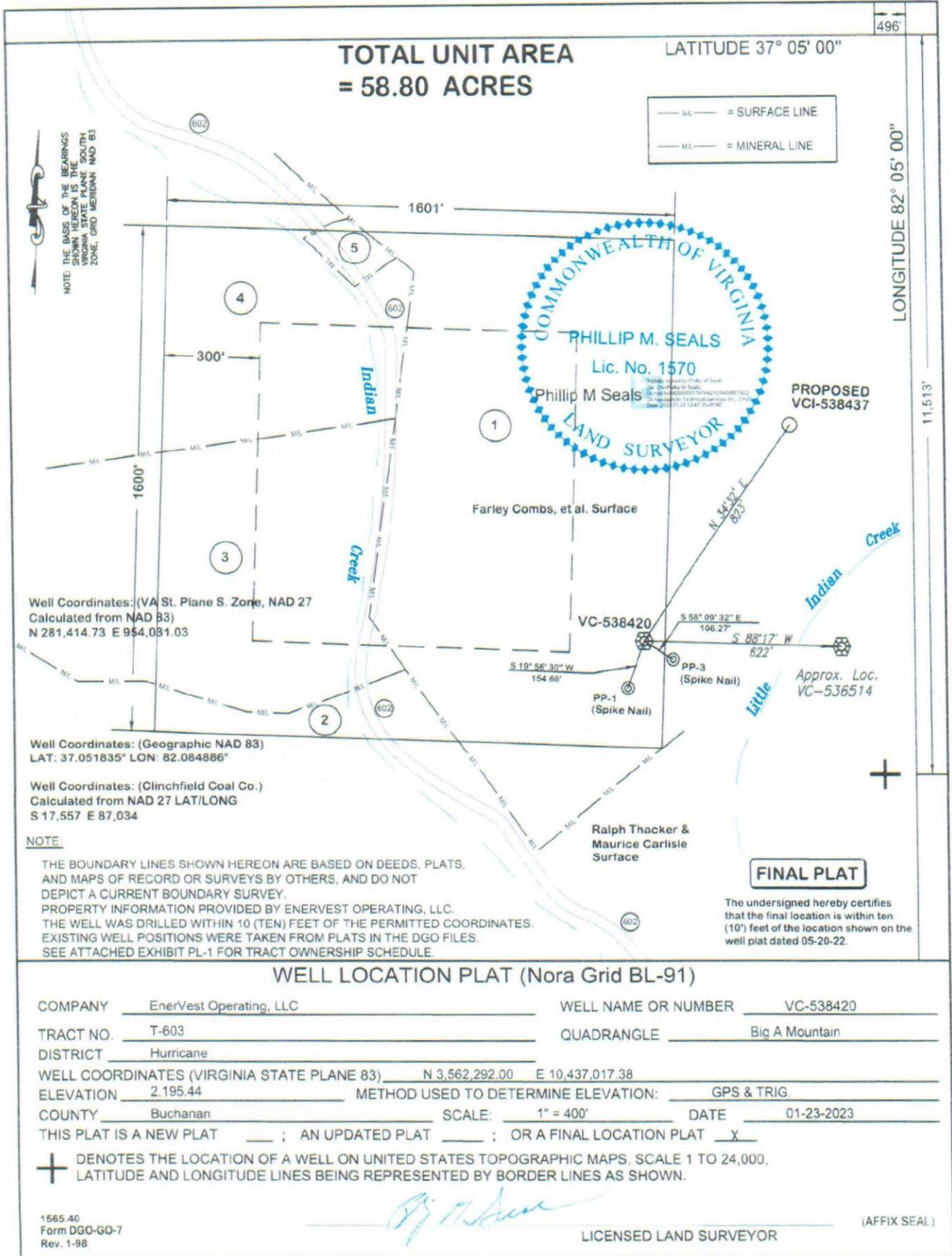


EXHIBIT PL-1

Property Ownership Information for VC-538420

01-23-2023

①

T-603
 JM & LL MCFARLAND
 350 ACRES
 Farley Combs, et al.- Surface
 ACIN LLC - coal
 PARAMONT CONTURA, LLC - coal lessee
 DICKENSON-RUSSELL CONTURA, LLC- coal lessee
 ENERVEST XIV-A NORA LLC
 ENERVEST ENERGY INSTITUTIONAL FUND XIV-1A, L.P. &
 ENERVEST XIV-WIC NORA LLC
 oil, gas & cbm
 GAS 31.52 AC. 53.61 %

②

TC-236
 CORNELIUS BALL
 220 ACRES
 ACIN LLC - coal
 PARAMONT CONTURA, LLC - coal lessee
 DICKENSON-RUSSELL CONTURA, LLC- coal lessee
 ENERVEST XIV-A NORA LLC (CBM)
 ENERVEST ENERGY INSTITUTIONAL FUND XIV-1A, L.P. &
 ENERVEST XIV-WIC NORA LLC (CBM)
 UNLEASED
 RICHARD WILSON ET AL. & Thomas Dotson - OIL & GAS (CBM)
 116 ACRES
 GAS 2.71 AC. 4.61 %

③

TC-236
 CORNELIUS BALL
 220 ACRES
 ACIN LLC - coal
 PARAMONT CONTURA, LLC - coal lessee
 DICKENSON-RUSSELL CONTURA, LLC- coal lessee
 ENERVEST XIV-A NORA LLC (CBM)
 ENERVEST ENERGY INSTITUTIONAL FUND XIV-1A, L.P. &
 ENERVEST XIV-WIC NORA LLC (CBM)
 UNLEASED
 JAMES MURPHY, ET AL. - OIL & GAS (CBM)
 43 ACRES
 GAS 13.49 AC. 22.94 %

④

TC-236
 CORNELIUS BALL
 220 ACRES
 ACIN LLC - coal
 PARAMONT CONTURA, LLC - coal lessee
 DICKENSON-RUSSELL CONTURA, LLC- coal lessee
 ENERVEST XIV-A NORA LLC (CBM)
 ENERVEST ENERGY INSTITUTIONAL FUND XIV-1A, L.P. &
 ENERVEST XIV-WIC NORA LLC (CBM)
 UNLEASED
 ANNA BALL HEIRS - OIL & GAS (CBM)
 60 ACRES
 GAS 10.41 AC. 17.70 %

EXHIBIT PL-1**Property Ownership Information for VC-538420****01-23-2023****5**

TC-236
CORNELIUS BALL
220 ACRES
ACIN LLC - coal
PARAMONT CONTURA, LLC - coal lessee
DICKENSON-RUSSELL CONTURA, LLC- coal lessee
ENERVEST XIV-A NORA LLC (CBM)
ENERVEST ENERGY INSTITUTIONAL FUND XIV-1A, L.P. &
ENERVEST XIV-WIC NORA LLC (CBM)
UNLEASED
CORNELIUS BALL HEIRS - OIL & GAS (CBM)
0.75 ACRES
GAS 0.67 AC. 1.14 %

Exhibit "B"
VC-538420
22-0621-4242-01
Revised: 2/13/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
Gas Estate Only				
1	EnerVest XIV-A Nora LLC, EnerVest XIV-WIC Nora LLC, & EnerVest Energy Institutional Fund XIV-1A, L.P. Attn: Kevin Miller 408 West Main Street Abingdon, VA 24210 <i>Tax ID - Minerals Only</i>	Owner	53.61000000	31.52000000
2	<i>Tax ID - Minerals Only</i> Richard L. Wilson and Judy Wilson 1347 Grover Hill Road Honaker, VA 24260	Leased	0.92200000	0.54200000
	David W. Wilson and Rita Wilson P.O. Box 453 Davenport, VA 24239	Leased	0.92200000	0.54200000
	Dexter G. Wilson and Melissa Wilson 4815 Combs Ridge Road Honaker, VA 24260	Leased	0.92200000	0.54200000
	Linda M. Harris and Harlis Harris 1620 Nance White Branch Road Honaker, VA 24260	Leased	0.92200000	0.54200000
	Anita W. Owens and Denver Owens 2003 Combs Ridge Road Honaker, VA 24260	Leased	0.92200000	0.54200000
	Tract 2 Totals		4.61000000	2.71000000
3	<i>Tax ID - Minerals Only</i> James R. Murphy and Anna Murphy 1391 Finney Road Honaker, VA 24260	Leased	9.17600000	5.39600000
	Virginia L. Murphy 7376 Finney Road Honaker, VA 24260	Leased	6.88200000	4.04700000
	Heirs of Norma C. Stevens Ronnie L. Stevens 12795 River Mountain Road Lebanon, VA 24266	Leased	1.72050000	1.01175000
	Gerald Bryant Stevens P.O. Box 1057 Honaker, VA 24260	Leased	1.72050000	1.01175000

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
	Grady Randall Stevens 8 Fairway Drive Portsmouth, VA 23701	Leased	1.72050000	1.01175000
	Michael D. Stevens P.O. Box 1761 Honaker, VA 24260	Leased	1.72050000	1.01175000
Tract 3 Totals			22.94000000	13.49000000
4	<i>Tax ID - Minerals Only</i> Norma L. Harris 24 Biscayne Pl. Sterling, VA 20164	Leased	0.36122449	0.21244898
	Terry Skeens 3640 Applewood Rd. Richmond, VA 23234	Leased	0.36122449	0.21244898
	Ellen Parks 143 Farm View Rd. Front Royal, VA 22630	Leased	0.36122449	0.21244898
	Nancy Virginia Skeens, Widow 709 Kilarney Dr. Fredricksburg, VA 22407	Leased	0.36122449	0.21244898
	Shelby Skeens, Widow 153 Old Park Rd. Montross, VA 22520-2002	Leased	0.36122449	0.21244898
	Lacy Breeding, Jr. and Demmie Breeding, h/w 7851 Carrollton Pike Galax, VA 24333-5956	Leased	0.07224490	0.04248980
	Gary D. Breeding 3833 River Rd. Hopewell, VA 23860-1644	Leased	0.07224490	0.04248980
	Tommy J. Breeding 1433 River Mountain Rd. Lebanon, VA 24266	Leased	0.07224490	0.04248980
	Ronald Breeding 1829 Spring City Rd. Cleveland, VA 24225	Leased	0.07224490	0.04248980
	Peggy A. Leonard 1215 Tremont Ave. Bristol, VA 37620	Leased	0.07224490	0.04248980
	Betty A. Mathis and Ronald K. Mathis, w/h 562 Fulla Lane Heath, OH 43056-9239	Leased	0.06020408	0.03540816

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Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
4	Ada E. Wilson, Widow 1080 S. 30 St. - Apt.204 Mitchell Retirement Village Heath, OH 43056	Leased	0.06020408	0.03540816
	Leonard Parrott and Pauline Parrott, h/w 244 Browntown Rd. Max Meadows, VA 24360	Leased	0.06020408	0.03540816
	Donald Mabe 244 Browntown Rd. Max Meadows, VA 24360	Leased	0.06020408	0.03540816
	David Mabe 723 Copper Rd. Cleveland, VA 24225	Leased	0.06020408	0.03540816
	James Parrott and Kay Parrott, h/w 572 Myrtle Ave Newark, OH 43055-3193	Leased	0.06020408	0.03540816
	Terry W. McGlothlin 6423 McGlothlin Lane Dublin, VA 24084	Leased	1.26428571	0.74357143
	Betty J. Peyton 4330 Little Creek Rd. Dublin, VA 24084	Leased	1.26428571	0.74357143
	Sharlene Compton Sheets 140 Carib Street Martinsburg, WV 25405	Leased	1.26428571	0.74357143
	Anna Compton Pauley 140 Carib St. Martinsburg, WV 25405	Leased	1.26428571	0.74357143
4	Katherine Ball c/o Linda L. Griffith 512 Shannon St. Tazewell, VA 24651	Leased	2.52857143	1.48714286
	Heirs of Lovis Ball Brown Unknown/Unlocateable	Unleased	2.52857143	1.48714286
	Linda L. Griffith 512 Shannon St. Tazewell, VA 24651	Leased	1.26428571	0.74357143
	Mike A. Ball and Emily A. Ball, h/w 3808 Combs Ridge Rd. Honaker, VA 24260	Leased	1.26428571	0.74357143
	Moses A. Ball, Jr. and Patricia M. Ball, h/w 1262 SW Maplewood Dr. Port Saint Lucie, FL 34986	Leased	1.26428571	0.74357143

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
4	Todd J. Pioch 3405 Brownes Creek Rd Charlotte, NC 28269	Leased	0.63214286	0.37178571
	Tammy K. Pioch 1574 Trestle Glen Rd Oakland, CA 94610	Leased	0.63214286	0.37178571
Tract 4 Totals			17.70000000	10.41000000
5	<i>Tax ID - Minerals Only</i> Linda L. Griffith 512 Shannon St. Tazewell, VA 24651	Leased	0.97714286	0.57428571
	Norma L.Harris 24 Biscayne Pl. Sterling, VA 20164	Leased	0.02326531	0.01367347
	Terry Skeens 3640 Applewood Rd. Richmond, VA 23234	Leased	0.02326531	0.01367347
	Ellen Parks 143 Farm View Rd. Front Royal, VA 22630	Leased	0.02326531	0.01367347
	Nancy Virginia Skeens, Widow 709 Kilarney Dr. Fredricksburg, VA 22407	Leased	0.02326531	0.01367347
	Shelby Skeens, Widow 153 Old Park Rd. Montross, VA 22520-2002	Leased	0.02326531	0.01367347
	Lacy Breeding, Jr. and Demmie Breeding, H/W 7851 Carrollton Pike Galax, VA 24333-5956	Leased	0.00465306	0.00273469
	Gary D. Breeding 3833 River Rd. Hopewell, VA 23860-1644	Leased	0.00465306	0.00273469
	Tommy J. Breeding 1433 River Mountain Rd. Lebanon, VA 24266	Leased	0.00465306	0.00273469
	Ronald Breeding 1829 Spring City Rd. Cleveland, VA 24225	Leased	0.00465306	0.00273469

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
5	Peggy A. Leonard 1215 Tremont Ave. Bristol, VA 37620	Leased	0.00465306	0.00273469
	Betty A. Mathis and Ronald K. Mathis, W/H 562 Fulla Lane Heath, OH 43056-9239	Leased	0.00387755	0.00227891
	Ada E. Wilson, Widow 1080 S. 30 St. - Apt.204 Mitchell Retirement Village Heath, OH 43056	Leased	0.00387755	0.00227891
	Leonard Parrott and Pauline Parrott, H/W 244 Browntown Rd. Max Meadows, VA 24360	Leased	0.00387755	0.00227891
	Donald Mabe 244 Browntown Rd. Max Meadows, VA 24360	Leased	0.00387755	0.00227891
	David Mabe 723 Copper Rd. Cleveland, VA 24225	Leased	0.00387755	0.00227891
	James Parrott and Kay Parrott, H/W 572 Myrtle Ave Newark, OH 43055-3193	Leased	0.00387755	0.00227891
	Tract 5 Totals		1.14000000	0.67000000
	TOTAL GAS ESTATE		100.00000000	58.80000000
	Percentage of Unit Leased		97.47142857	
	Percentage of Unit Unleased		2.52857143	
	Acreage in Unit Leased		57.31285714	
	Acreage in Unit Unleased		1.48714286	

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Exhibit "B-3"
VC-538420
22-0621-4242-01
Revised: 2/13/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
Gas Estate Only				
4	<i>Tax ID# Minerals Only</i> Heirs of Lovis Ball Brown Unknown/Unlocateable	Unleased	2.52857143	1.48714286
TOTAL GAS ESTATE			2.52857143	1.48714286

INSTRUMENT 230000950
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY CIRCUIT COURT ON
AUGUST 3, 2023 AT 03:07 PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB