

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: VCI-530642
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-23-0321-4258

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 in Deed Book 602, Page 832 in the Office of the Clerk of the Circuit Court for Dickenson County, Virginia on April 18, 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 notified the parties listed on Exhibit B-3 the

Board Order within seven (7) days of receipt of said Board Order by the Unit Operator;

- (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. VCI-530642.
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.

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of EnerVest Operating, LLC, for the Forced Pooling of Interests in VCI-530642, Docket No. VGOB-23-0321-4258 in the Ervinton District, Duty Quadrangle, Dickenson 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

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:\msword2000\enervest\2023\pooling.VCI-530642.supporder&aff]



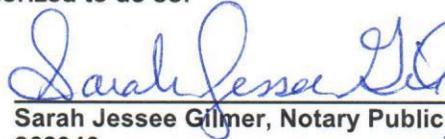
DB 605 PG 171
DONE AND EXECUTED this 13 day of June, 2023 by a majority of the Virginia Gas and Oil Board.



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

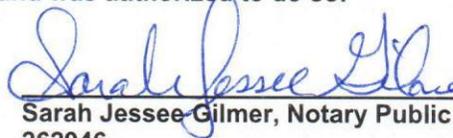
DONE AND PERFORMED this 14 day of June, 2023 by Order of the Virginia Gas and Oil Board.



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. VCI-530642
Docket No. VGOB-23-0321-4258
Ervington District, Duty Quadrangle,
Dickenson County, Virginia**

AFFIDAVIT OF MAILING

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

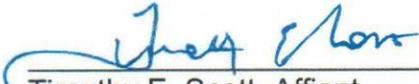
1. That the Affiant is an attorney and the Agent for EnerVest Operating, LLC, with offices located at 135 W. Main Street, Suite 200, Kingsport, Tennessee 37660; that your affiant, as one of his duties, is required to mail notices to persons required to be notified of hearings before and of decisions 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 Dickenson County, Virginia, on the 18th day of April, 2023 in Deed Book 602, Page 832 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 mailed a copy of the Order referred to in Paragraph "2" above in compliance with the Board's Order to the known party respondent by certified mail return receipt requested to the parties respondent named therein within seven (7) days of receipt by the Unit Operator as evidenced the green card attached to this affidavit;

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



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Harvey W. Powers, Jr.
 6426 Big Ridge Rd.
 Haysi, VA 24256
 VCI-530642

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
 HP
- B. Received by (Printed Name)
Powers
- C. Date of Delivery
5/24/03
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:



9590 9402 7362 2028 4686 51

Address Marked Transfer from card No. 1000

7021 2720 0001 9043 1991

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail
 - Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

PS Form 3811, July 2002 PSN 7530-02-000-9053

Domestic Return Receipt

VCI-530642
23-0321-4258

Exhibit A

DB 605 PG 175

11,413'

Well Coordinates: (Geographic N83)
37.098229° -82.247329°

Well Coordinates: (UTM N27, Zone 17)
N 13,472,026.55 E 1,276,713.50

Latitude 37° 07' 30"

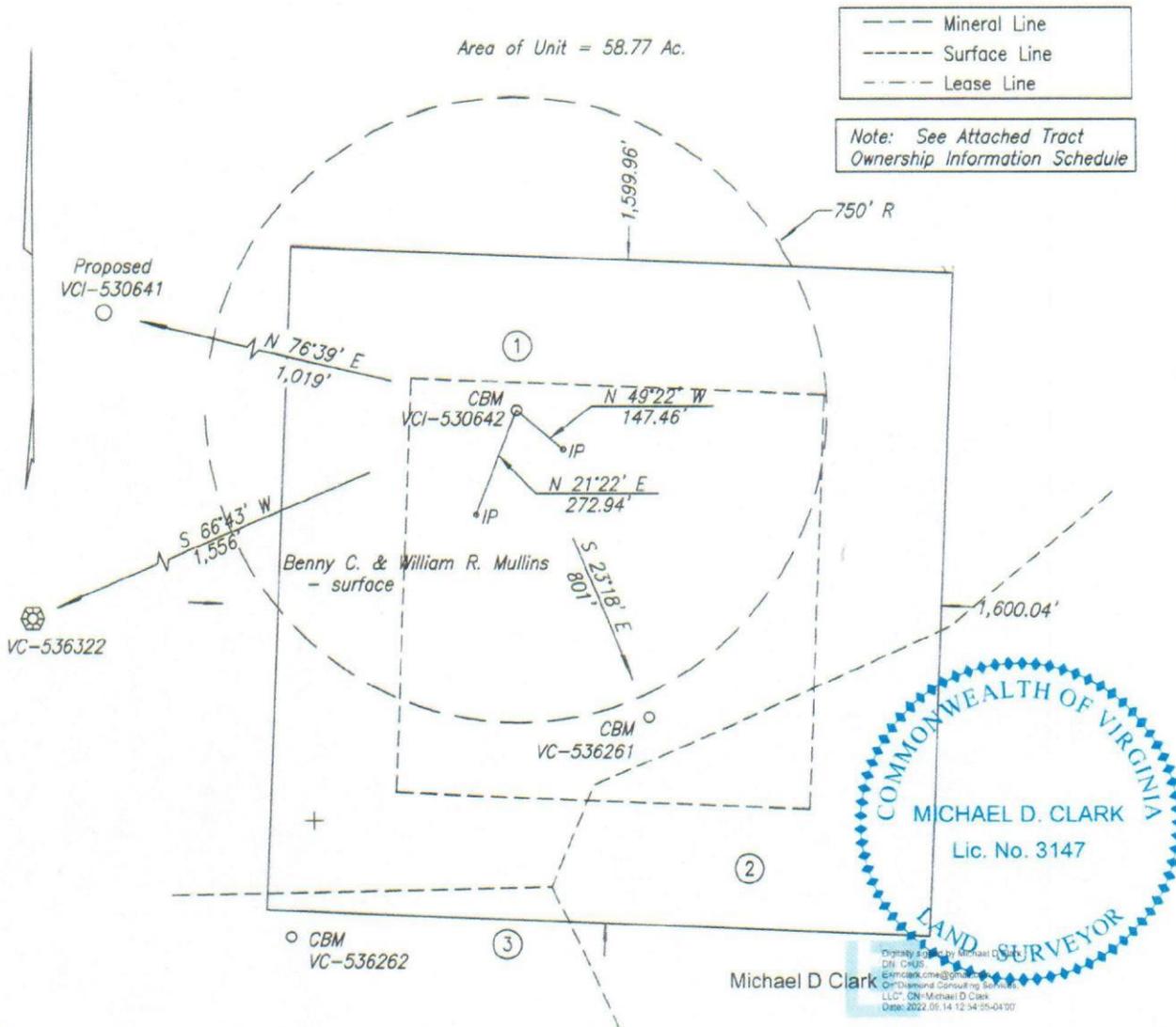
Area of Unit = 58.77 Ac.

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

Note: See Attached Tract Ownership Information Schedule

Longitude -82° 12' 30"

9,787'



1. ELEVATIONS WERE DETERMINED BY GPS & TRIGONOMETRIC METHODS BASED ON A NGS OPUS SOLUTION/CORS STATIONS.
2. THE BOUNDARY LINES SHOWN HEREON ARE BASED ON DEEDS, PLATS, AND MAPS OF RECORD OR SURVEYS BY OTHERS, AND DO NOT DEPICT A CURRENT BOUNDARY SURVEY. NO BOUNDARY SURVEY PERFORMED.
3. PROPERTY INFORMATION PROVIDED BY ENERVEST OPERATING, LLC.
4. THE WELL WILL BE DRILLED WITHIN 10 (TEN) FEET OF THE PERMITTED COORDINATES.

Well Coordinates: (VA St. Plane S. Zone, NAD 83 (1993))
N 3,581,010.54 E 10,390,319.02

Well Coordinates: (VA St. Plane S. Zone, NAD 27 Calculated from NAD 83 (1993))
N 300,133.50 E 907,334.12

Well Coordinates: (Clinchfield Coal Co.)
S 625.74 E 39,698.84

WELL LOCATION PLAT NORA GRID BB-62

COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER VCI-530642
 TRACT NO. T-368 ELEVATION 1,878.78 QUADRANGLE Duty
 COUNTY Dickenson DISTRICT Ervinton SCALE 1" = 400' DATE 9-7-22

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

① T-368
Joshua Sutherland
927.3 Acres
ACIN LLC - coal
Paramont Contura, LLC - coal lessee
WBRD LLC - coal
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 47.13 Ac. 80.19%

② TC-219
J.H. Powers
1,108.79 Acres
ACIN LLC - coal
Paramont Contura, LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Contura, LLC - coal lessee
Lease No. 10113352 Partially Leased
Cecil S. Powers et al. - oil, gas & CBM
75 3/4 Acres
Gas 10.60 Ac. 18.04%

③ TC-180
Hagan & Rasnick
426.6 Acres
ACIN LLC - coal
Paramont Contura, LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Contura, LLC - coal lessee
Lease No. 10000736
Jennifer B. Osborne, et al. - oil, gas & CBM
353.5 Acres
Gas 1.04 Ac. 1.77%

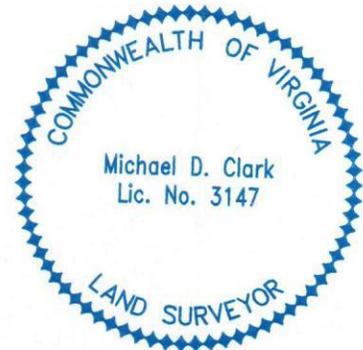


Exhibit "B"
VCI-530642
23-0321-4258
2/9/2023

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 Tax # Minerals Only	Owner	80.19000000	47.13000000
2	<i>Tax ID - 3517</i> <u>Heirs of Harvey W. Powers and Ina A. Powers</u>			
	Harvey W. Powers Jr. 6426 Big Ridge Rd Haysi, VA 24256	Unleased	2.25500000	1.32500000
	Heirs of Margaret L. Mullins Devin Stanley 160 Crescent Dr Bristol, VA 24201	Leased	1.12750000	0.66250000
	Alysa Stanley 792 Centennial Hights, Apt 203 Haysi, VA 24256	Leased	1.12750000	0.66250000
	Glenn E. Powers 1316 CC Rd Kingstown Springs, TN 37082	Leased	2.25500000	1.32500000
	Vada Edna Bartley Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Dolly R. Mullins Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Elizabeth E. Epling Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Loretta S. Baker Unknown/Unlocateable	Unleased	2.25500000	1.32500000

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
2	Cecil S. Powers Unknown/Unlocateable	Unleased	2.25500000	1.32500000
Tract 2 Totals			18.04000000	10.60000000
3	<i>Tax ID - 2087</i> Jennifer Osborne 792 E Meadows Rd Moravian Falls, NC 28654	Leased	0.59000000	0.34666667
	Benjamin & Ethel Beshears 2163 Big Ivy Rd Purlear, NC 28665	Leased	0.29500000	0.17333333
	Kimberly T. Beshears 728 Haynes Rd Hays, NC 28635	Leased	0.29500000	0.17333333
	Susan & Terry Odom 4007 Hazel Ln Greensboro, NC 27408	Leased	0.29500000	0.17333333
	Perry D. White 8100 Statesville Rd North Wilkesboro, NC 28659	Leased	0.14750000	0.08666667
	Kenneth R. White 3829 Settle Rd Mariemont, Ohio 45227	Leased	0.14750000	0.08666667
Tract 3 Totals			1.77000000	1.04000000
TOTAL GAS ESTATE			100.00000000	58.77000000
	Percentage of Unit Leased		86.47000000	
	Percentage of Unit Unleased		13.53000000	
	Acreage in Unit Leased		50.82000000	
	Acreage in Unit Unleased		7.95000000	

Exhibit "B-3"
VCI-530642
23-0321-4258
2/9/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
Gas Estate Only				
2	<i>Tax ID - 3517</i>			
	<u>Heirs of Harvey W. Powers and Ina A. Powers</u>			
	Harvey W. Powers Jr. 6426 Big Ridge Rd Haysi, VA 24256	Unleased	2.25500000	1.32500000
	Vada Edna Bartley Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Dolly R. Mullins Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Elizabeth E. Epling Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Loretta S. Baker Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Cecil S. Powers Unknown/Unlocateable	Unleased	2.25500000	1.32500000
	Tract 2 Totals		13.53000000	7.95000000
	TOTAL GAS ESTATE		13.53000000	7.95000000

INSTRUMENT 230000734
 RECORDED IN THE CLERK'S OFFICE OF
 DICKENSON CIRCUIT COURT ON
 JULY 28, 2023 AT 02:19 PM
 RICHARD W. EDWARDS, CLERK
 RECORDED BY: SHM