

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-538730  
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-23-0815-4267

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 October 2, 2023, and recorded as Instrument No. 230001417 in the Office of the Clerk of the Circuit Court for Buchanan County, Virginia on November 1, 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 January 10, 2024 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 by certified mail return receipt requested;

- (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 January 10, 2024, 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 October 2, 2023. The Affidavit of Elections indicates that the escrow of funds is not required with regard to Well No. VC-538730.
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.

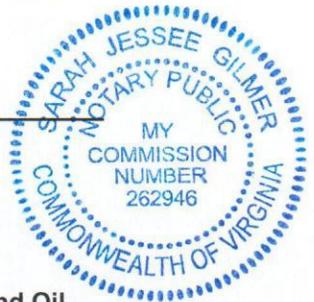
DONE AND EXECUTED this 26 day of January, 2024 by a majority of the Virginia Gas and Oil Board.

Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 26<sup>th</sup> day of January, 2024, 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 29 day of January, 2024 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 29<sup>th</sup> day of January, 2024, 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

**VIRGINIA:**

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

IN RE: Application of EnerVest Operating, LLC, for the Forced Pooling of Interests in VC-538730, Docket No. VGOB-23-0815-4267 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 October 2, 2023, by the Virginia Gas and Oil Board regarding the captioned coalbed methane 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 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 October 2, 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

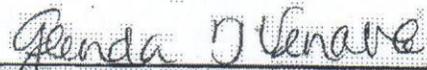
be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent **are not required** in this matter pursuant to the terms of §§ 45.2-1620 and 45.2-1622.

Dated at Kingsport, Tennessee, this 10<sup>th</sup> day of January, 2024.



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 10<sup>th</sup> day of January, 2024.

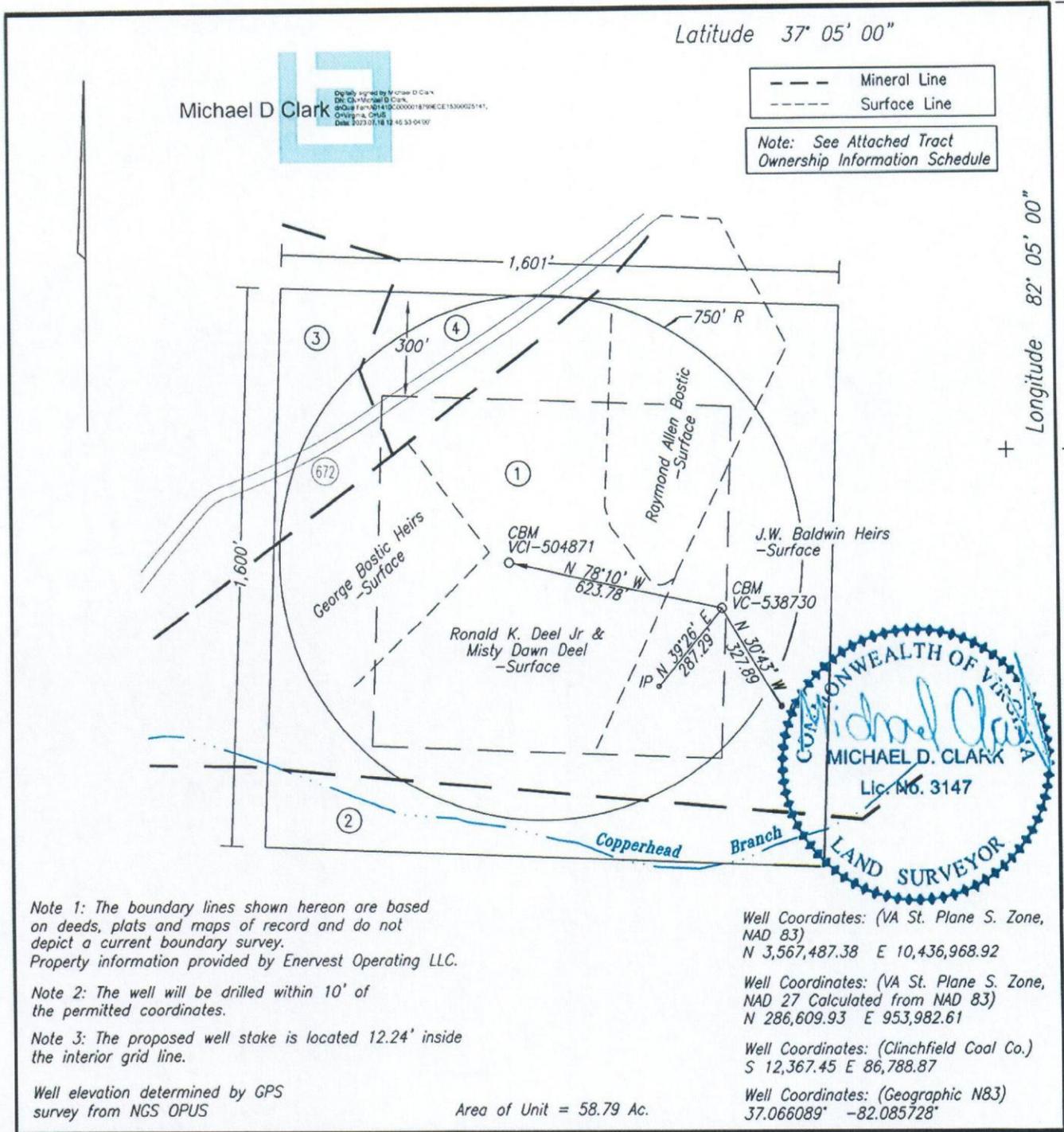


Notary Public

My commission expires: 3/31/2027



741'



Note 1: The boundary lines shown hereon are based on deeds, plats and maps of record and do not depict a current boundary survey. Property information provided by EnerVest Operating LLC.

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

Note 3: The proposed well stake is located 12.24' inside the interior grid line.

Well elevation determined by GPS survey from NGS OPUS

WELL LOCATION PLAT NORA GRID BI-91

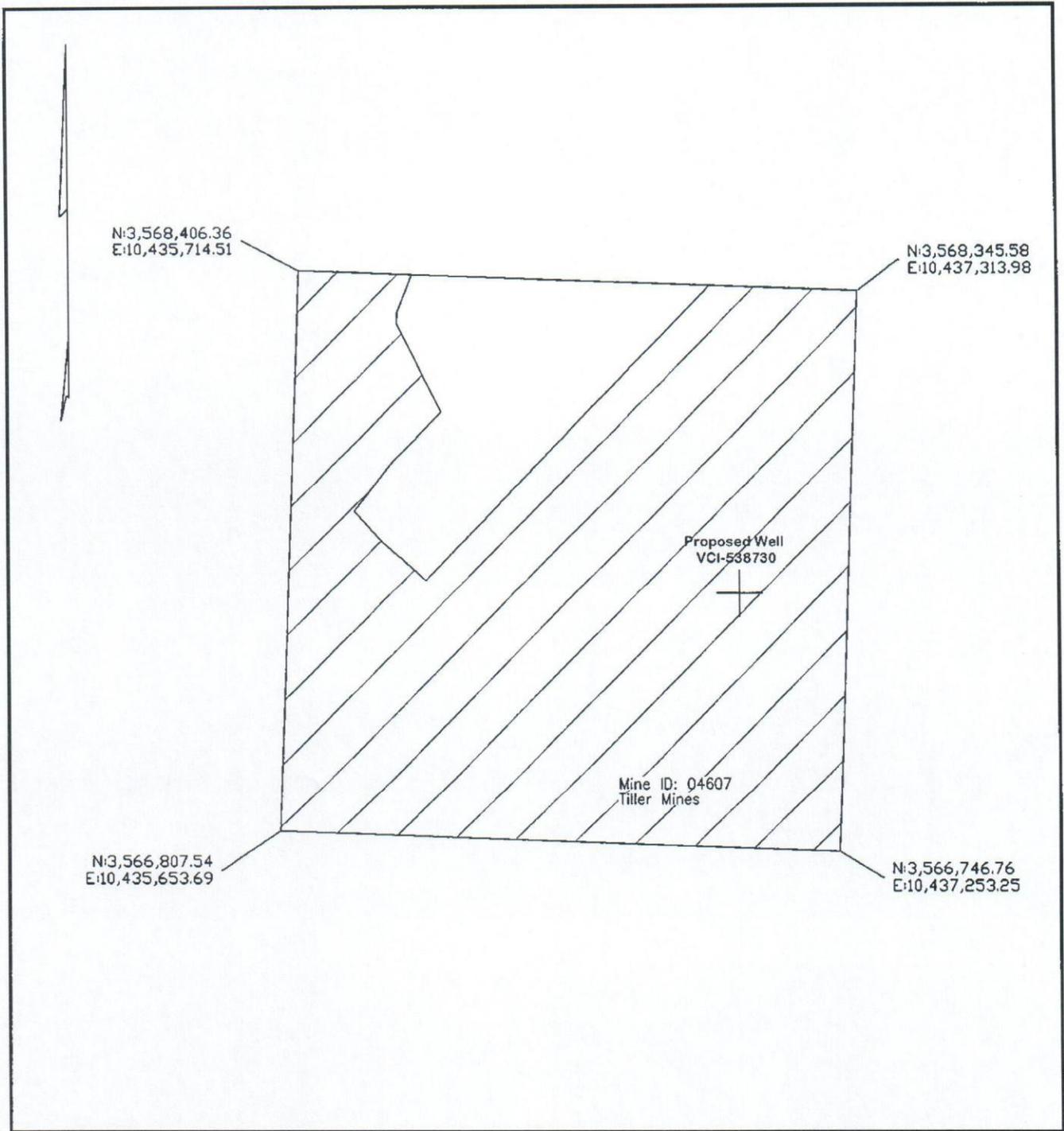
COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER VC-538730  
 TRACT NO. \_\_\_\_\_ ELEVATION 2,323.09 QUADRANGLE Big A Mountain  
 COUNTY Buchanan DISTRICT Hurricane SCALE 1" = 400' DATE 7-18-23

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~~

VC-538730 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
7-18-23

- ① Lease No. 906889 / T-605  
Daniel Puckett  
500 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 44.37 Ac. 75.47%
- ② 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 XIV-A NORA LLC, EnerVest Energy Institutional Fund XIV-1A, L.P., &  
EnerVest XIV-WIC NORA, LLC - oil, gas & CBM  
Gas 6.81 Ac. 11.58%
- ③ T-602  
W.A. McFarland  
114.66 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 4.05 Ac. 6.89%
- ④ CNX Pobst Combs, et al - oil, gas & CBM  
14.32 Acres  
Levisa Coal - coal  
Gas 3.56 Ac. 6.06%



WELL & MINE LOCATION MAP NORA GRID BI-91

COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER VCI-538730  
QUADRANGLE Big A Mountain PERMIT NO. \_\_\_\_\_ SCALE 1" = 400' DATE 7-18-23

NOTE: The mine locations are approximate locations taken from downloaded DMME data.  
The maps are to be used for anticipated drilling hazards only.

**Exhibit "B"**  
**VC-538730**  
**23-0815-4267**  
**8/11/2023**

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
<b>Gas Estate Only</b>				
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	75.47000000	44.37000000
2	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	11.58000000	6.81000000
3	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	6.89000000	4.05000000
4	<i>Tax ID - Minerals Only</i> CIPL LP c/o John Irvin 4710 Hunterwood Circle Richmond, TX 77406	CNX Lessee	1.51500000	0.89000000
	Frederick H. Combs II Testamentary Trust P.O. Box 841 Tazewell, VA 24651	CNX Lessee	0.50500000	0.29666667
	John W Pobst Jr P.O. Box 86 Revere, PA 18953	CNX Lessee	0.50500000	0.29666667
	Nancy C. Pobst 39 Waterside Drive SE Cartersville, GA 30120	CNX Lessee	0.50500000	0.29666667
	Virginia P. Linwick 4324 South Ball Dr Veradale, WA 99037	CNX Lessee	0.50500000	0.29666667
	Richard K. Pobst 39 Waterside Dr SE Cartersville, GA 30120	CNX Lessee	1.01000000	0.59333333

**Exhibit "B"**  
**VC-538730**  
**23-0815-4267**  
**8/11/2023**

<b>Tract</b>	<b>Lessor</b>	<b>Lease Status</b>	<b>Interest Within Unit</b>	<b>Gross Acreage in Unit</b>
	Meredith E. Jennings 3110 Spyglass Dr Maryville, TN 37801	CNX Lessee	1.01000000	0.59333333
4	Martha E. Combs, Trustee P.O. Box 1404 Abingdon, VA 24210	CNX Lessee	0.50500000	0.29666667
	CNX Gas Company-Lessee P.O. Box 643835 Pittsburgh, PA 15264-383			
	<b>Tract 4 Totals</b>		<b>6.06000000</b>	<b>3.56000000</b>
	<b>TOTAL GAS ESTATE</b>		<b>100.00000000</b>	<b>58.79000000</b>
	Percentage of Unit Leased	93.94000000		
	Percentage of Unit Unleased	6.06000000		
	Acreage in Unit Leased	55.23000000		
	Acreage in Unit Unleased	3.56000000		

205000025

240000205

**Exhibit "B-3"**  
**VC-538730**  
**23-0815-4267**  
**8/11/2023**

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
<b>Gas Estate Only</b>				
4	<i>Tax ID - Minerals Only</i> CIPL LP c/o John Irvin 4710 Hunterwood Circle Richmond, TX 77406	CNX Lessee	1.51500000	0.89000000
	Frederick H. Combs II Testamentary Trust P.O. Box 841 Tazewell, VA 24651	CNX Lessee	0.50500000	0.29666667
	John W Pobst Jr P.O. Box 86 Revere, PA 18953	CNX Lessee	0.50500000	0.29666667
	Nancy C. Pobst 39 Waterside Drive SE Cartersville, GA 30120	CNX Lessee	0.50500000	0.29666667
	Virginia P. Linwick 4324 South Ball Dr Veradale, WA 99037	CNX Lessee	0.50500000	0.29666667
	Richard K. Pobst 39 Waterside Dr SE Cartersville, GA 30120	CNX Lessee	1.01000000	0.59333333
	Meredith E. Jennings 3110 Spyglass Dr Maryville, TN 37801	CNX Lessee	1.01000000	0.59333333
4	Martha E. Combs, Trustee P.O. Box 1404 Abingdon, VA 24210	CNX Lessee	0.50500000	0.29666667
	CNX Gas Company-Lessee P.O. Box 643835 Pittsburgh, PA 15264-383			
	<b>Tract 4 Totals</b>		<b>6.06000000</b>	<b>3.56000000</b>
	<b>TOTAL GAS ESTATE</b>		<b>6.06000000</b>	<b>3.56000000</b>

#23

240000205

240000205

INSTRUMENT 240000205  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY CIRCUIT COURT ON  
MARCH 6, 2024 AT 01:20 PM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB