

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-538372
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-23-0815-4269

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 February 28, 2024, and recorded in Deed Book 610, Page 413 in the Office of the Clerk of the Circuit Court for Dickenson County, Virginia on March 19, 2024, (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 7, 2024, disclosing that it mailed to all parties listed on Exhibit B-3 the

Board Order by certified mail return receipt on March 28, 2024 to such party or parties;

- (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 7, 2024, in accordance with § 7.7C 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 February 28, 2024. The Affidavit of Elections indicates that the escrow of funds is not required with regard to Well No. VC-538372.

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 May, 2024 by a majority of the Virginia Gas and Oil Board.



Chairman, Donald L. Ratliff

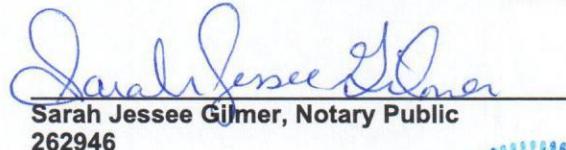
DONE AND PERFORMED this 20 day of May, 2024 by Order of the Virginia Gas and Oil Board.



James P. Skorupa
Principal Executive to the staff,
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 20th day of May, 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 and 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 Jesse 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-538372, Docket No. VGOB-23-0815-4269 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 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 February 28, 2024, 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:

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 February 28, 2024:

See Exhibit B-3

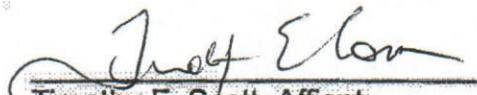
10. The Designated Operator requests that the following persons be dismissed as Respondents:

NONE

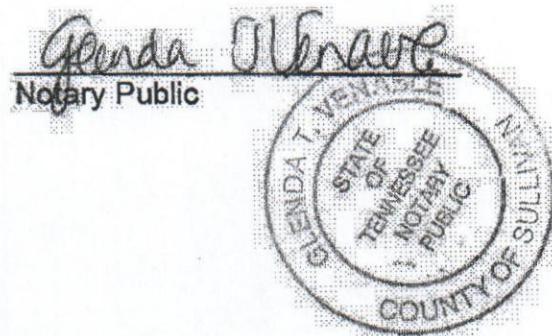
That pursuant to the provisions of 4VAC 25-160.70.A.10 and .C and VAC 25-160-80, annexed hereto and incorporated herein is a proposed supplemental order to

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 7th day of May, 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 7th day of May, 2024.

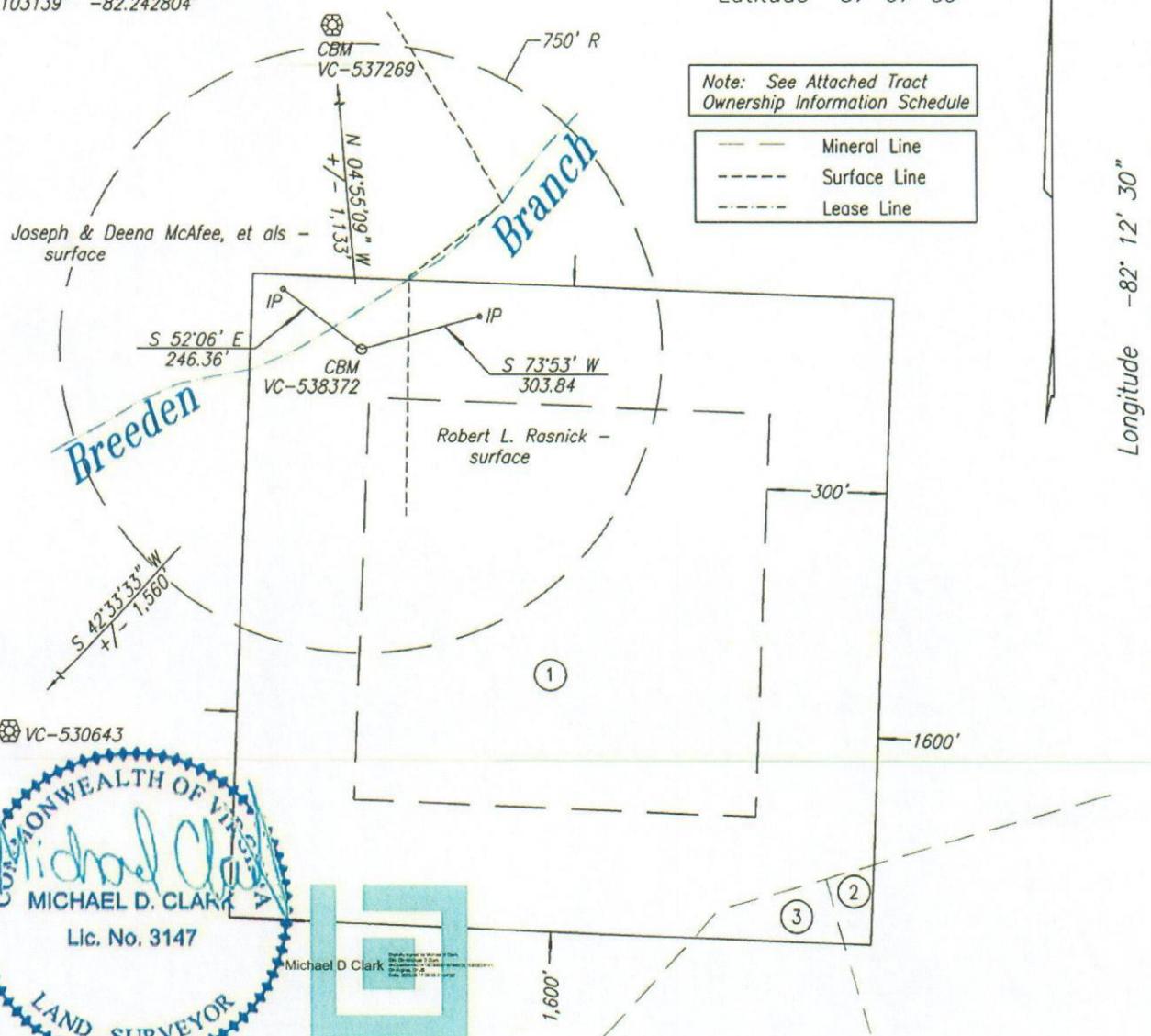


23-0815-4269

10,093'

Well Coordinates: (Geographic N83)
37.103139° -82.242804°

Latitude 37° 07' 30"



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 277' from western grid line and 180' from northern 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 3,582,744.45 E 10,391,708.49

Well Coordinates: (VA St. Plane S. Zone,
NAD 27 Calculated from NAD 83 (1993))
N 301,867.31 E 908,723.57

Well Coordinates: (Clinchfield Coal Co.)
N 1,122.73 E 40,978.50

WELL LOCATION PLAT NORA GRID BA-63

COMPANY Enervest Operating LLC WELL NAME AND NUMBER VC-538372
 TRACT NO. I-368 ELEVATION 1,489.25 QUADRANGLE Duty
 COUNTY Dickenson DISTRICT Ervinton SCALE 1" = 400' DATE 8-15-23

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

Form DGO-GO-7

VC-538372 PLAT
TRACT OWNERSHIP INFORMATION SCHEDULE
8-15-23

Page 1 of 1

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 57.55 Ac. 97.92%

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
Theresa Jo Powers et al. - oil, gas & CBM
178.30 Acres
Gas 0.39 Ac. 0.67%

③ 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 0.83 Ac. 1.41%

Exhibit "B"

VC-538372

23-0815-4269

12/7/2023

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	97.92000000	57.55000000
2	Tax ID - 3517 <u>Heirs of Harvey W. Powers and Ina A. Powers</u>			
	Harvey W. Powers Jr. 6426 Big Ridge Rd Haysi, VA 24256	Unleased	0.08375000	0.04875000
	Heirs of Margaret L. Mullins Devin Stanley 160 Crescent Dr Bristol, VA 24201	Leased	0.04187500	0.02437500
	Alysa Stanley 792 Centennial Hights, Apt 203 Haysi, VA 24256	Leased	0.04187500	0.02437500
	Glenn E. Powers 1316 CC Rd Kingstown Springs, TN 37082	Leased	0.08375000	0.04875000
	Vada Edna Bartley Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Dolly R. Mullins Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Elizabeth E. Epling Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Loretta S. Baker Unknown/Unlocateable	Unleased	0.08375000	0.04875000

Exhibit "B"
VC-538372
23-0815-4269
12/7/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
2	Cecil S. Powers Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	<i>Tract 2 Totals</i>		0.67000000	0.39000000
3	<i>Tax ID - Minerals Only</i> Adrian Powers Heirs Unknown Unlocateable	Unleased	0.62660400	0.36885200
	Theresa Jo Edwards 4014 Frying Pan Rd Birchleaf, VA 24220	Unleased	0.13056600	0.07685800
	Lisa Jo Powers 1511 Ninth Ave Lewiston, ID 83501	Unleased	0.13056600	0.07685800
	Meghan Marie Powers 3151 Feds Creek Rd Steele, KY 41566	Unleased	0.03257100	0.01917300
	Courtney Marie Powers 677 Basin Branch Rd Haysi, VA 24256	Unleased	0.03257100	0.01917300
	Haley Nicole Powers 677 Basin Branch Rd Haysi, VA 24256	Unleased	0.03257100	0.01917300
	Jami Powers 1111 Lincoln The Dalles, OR 97058	Unleased	0.03257100	0.01917300
	Sandra Powers Strickfaden 1511 Ninth Ave Lewiston, ID 83501	Unleased	0.23518800	0.13844400
3	Ona Mae Edwards Kiser 19389 Camp Ground Rd Bristol, VA 24201	Unleased	0.02608500	0.01535500

Exhibit "B"
VC-538372
23-0815-4269
12/7/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
	Sherrell O'Quinn 3610 Frying Pan Rd Birchleaf, VA 24220	Unleased	0.02608500	0.01535500
	Clida Jean Witt 127 Mimosa Dr Birchleaf, VA 24220	Unleased	0.02608500	0.01535500
3	Glenda Gale Stanley 420 Berts Lane Haysi, VA 24256	Unleased	0.02608500	0.01535500
	Sandra Younce Yelvington 114 Echo Lane Palatka, FL 32177	Unleased	0.05245200	0.03087600
Tract 3 Totals			1.41000000	0.83000000
TOTAL GAS ESTATE			100.00000000	58.77000000
Percentage of Unit Leased			98.08750000	
Percentage of Unit Unleased			1.91250000	
Acreage in Unit Leased			57.64750000	
Acreage in Unit Unleased			1.12250000	

Exhibit "B-3"

VC-538372
 23-0815-4269
 12/7/2023

Tract	Lessor	Lease Status	Interest Within Unit	Gross Acreage in Unit
Gas Estate Only				
2	Tax ID - 3517 Heirs of Harvey W. Powers and Ina A. Powers	Unleased	0.08375000	0.04875000
	Harvey W. Powers Jr. 6426 Big Ridge Rd Haysi, VA 24256	Unleased	0.08375000	0.04875000
	Vada Edna Bartley Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Dolly R. Mullins Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Elizabeth E. Epling Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Loretta S. Baker Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Cecil S. Powers Unknown/Unlocateable	Unleased	0.08375000	0.04875000
	Tract 2 Totals			0.50250000
	0.29250000			
3	Tax ID - Minerals Only Adrian Powers Heirs Unknown Unlocateable	Unleased	0.62660400	0.36885200
	Theresa Jo Edwards 4014 Frying Pan Rd Birchleaf, VA 24220	Unleased	0.13056600	0.07685800
	Lisa Jo Powers 1511 Ninth Ave Lewiston, ID 83501	Unleased	0.13056600	0.07685800

Meghan Marie Powers 3151 Fedscreek Rd Steele, KY 41566	Unleased	0.03257100	0.01917300
Coutney Marie Powers 677 Basin Branch Rd Haysi, VA 24256	Unleased	0.03257100	0.01917300
Haley Nicole Powers 677 Basin Branch Rd Haysi, VA 24256	Unleased	0.03257100	0.01917300
Jami Powers 1111 Lincoln The Dalles, OR 97058	Unleased	0.03257100	0.01917300
Sandra Powers Strickfaden 1511 Ninth Ave Lewiston, ID 83501	Unleased	0.23518800	0.13844400
3 Ona Mae Edwards Kiser 19389 Camp Ground Rd Bristol, VA 24201	Unleased	0.02608500	0.01535500
Sherrell O'Quinn 3610 Frying Pan Rd Birchleaf, VA 24220	Unleased	0.02608500	0.01535500
Clida Jean Witt 127 Mimosa Dr Birchleaf, VA 24220	Unleased	0.02608500	0.01535500
Glenda Gale Stanley 420 Berts Lane Haysi, VA 24256	Unleased	0.02608500	0.01535500
Sandra Younce Yelvington 114 Echo Lane Palatka, FL 32177	Unleased	0.05245200	0.03087600
Tract 3 Totals		1.41000000	0.83000000
TOTAL GAS ESTATE		1.91250000	1.12250000
INSTRUMENT 240000520 RECORDED IN THE CLERK'S OFFICE OF DICKENSON CIRCUIT COURT ON JUNE 13, 2024 AT 04:08 PM JOSHUA R. EVANS, CLERK RECORDED BY: CXC			