

Instrument Control Number

20230430800100

Instrument 202304308  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Oct 17, 2023 at 11:07 AM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: Ally Connell  
**(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 [13]  
City  County  [Wise County/City of Norton, VA]

**First and Second Grantors**

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

**First and Second Grantees**

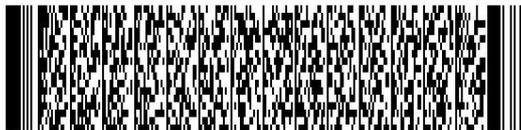
Last Name	First Name	Middle Name	Suffix
[ENERVEST OPERATING LLC ]	[ ]	[ ]	[ ]

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

Consideration[00.00 ] Assessed Value[00.00 ]

Prior Instr. Recorded at: City  County  Other   
Book [ ] Page [ ] Instr. No. [000000000 ]  
Parcel Identification no. {PIN} [000000 ]  
Short Property Description [SEE DOCUMENT ]  
Current Property Address (Address1) [PO BOX 0000 ]  
(Address2) [ ]  
(City, State, Zip) [WISE ] [VA ] [24293 ]

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 ]



VIRGINIA:

BEFORE THE VIRGINIA DEPARTMENT OF ENERGY

APPLICANT:	<b>EnerVest Operating, LLC</b>	)	VIRGINIA GAS
		)	AND OIL BOARD
		)	
RELIEF SOUGHT	<b>EXCEPTION TO STATEWIDE SPACING</b>	)	
	LIMITATIONS PRESCRIBED BY	)	DOCKET NO.
	VA. CODE § 45.2-1616 (a) (2)	)	<b><u>VGOB-23-0919-4272</u></b>
	FOR <b><u>WELL NO. V-536907</u></b>	)	
		)	
		)	
LEGAL DESCRIPTION:		)	
		)	
	DRILLING UNIT SERVED BY WELL	)	
	NUMBERED <b><u>V-536907</u></b>	)	
	TO BE DRILLED IN THE LOCATION	)	
	DEPICTED ON <b>EXHIBIT A</b> HERETO,	)	
	<b>D.A. Stallard Tract</b>	)	
	<b>55.00 acres, more or less</b>	)	
	<b>Pound Quadrangle</b>	)	
	<b>Gladeville District</b>	)	
	<b>Wise County, Virginia</b>	)	
	(the "Subject Lands" are more particularly described	)	
	on <b>Exhibit "A"</b> , attached hereto and made a part	)	
	hereof)	)	

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at **10:00 a.m. on September 19, 2023** at the 3405 Mountain Empire Road, Big Stone Gap, Virginia.
2. Appearances: **Timothy E. Scott** appeared for the Applicant.
3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.2-1600 *et seq.*, the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of each gas and oil owner, coal owner, or mineral owner having an interest in Subject Drilling Unit underlying and comprised of Subject Lands; and (2) represented to the Board that it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code § 45.2-1618 to notice of this application. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.2-1618. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: None.
5. Dismissals: None.
6. Relief Requested: Applicant requests an exception to the statewide spacing limitations set forth in Va. Code § 45.2-1616 for Well No. V-536907.
7. Relief Granted: The requested relief in this cause shall be and hereby is granted. The Board hereby grants Applicant consent to permit and drill proposed **Well No. V-536907 which is 1,838 feet from EnerVest Well No. V-536906** at the location depicted on the Plat attached hereto as **Exhibit A**.
8. Special Findings: The Board specifically and specially finds:
  - 8.1 Applicant is EnerVest Operating, LLC. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;
  - 8.2 Applicant EnerVest Operating, LLC, is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
  - 8.3 Applicant claims ownership of Conventional Gas Leases of Subject Drilling Unit and the right to explore for, develop and produce Gas from Well No. V-536907 as well as the right to participate and develop the reciprocal well, being **EnerVest Operating, LLC Well No. V-536906**.
  - 8.4 The proposed Well No. V-536907 is located on the D.A. Stallard 55.00 acre Tract and the surface, coal, gas and oil owners have consented to the proposed location for Well No. V-536907 that is depicted on the Plat attached hereto as **Exhibit A**;
  - 8.5 The Applicant testified it has the right to operate and participate in the development of the reciprocal **EnerVest Operating, LLC, Well No. V-536906** that the granting of the application filed herein will not impact the correlative rights of any person;
  - 8.6 An exception to the well spacing requirements of Va. Code § 45.2-1618 for Well No. V-536907 is necessary to efficiently drain a portion of the common sources of supply (reservoir) underlying Subject Drilling Unit, and the Board's granting of the requested location exception is in the best interest of preventing the waste of an as yet undetermined quantum of Conventional Gas underlying the Subject Drilling Unit, and to generally effect the purposes of the Virginia and Oil Act;
  - 8.7 Applicant proposes the drilling of Well No. V-536907 to a depth of 5,900 feet on the Subject Drilling Unit at the location depicted on Exhibit A to explore for all the formations from the surface to all formations encountered to a total depth drilled,
  - 8.8 Applicant proposes to drill Well No. V-536907 a distance of 662 feet closer to **EnerVest Well No. V-536906** than the 2500 feet mandated by statewide spacing;
  - 8.9 Applicant proposes to complete and operate Well No. V-536907 for the purpose of producing Conventional Gas;

9. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and **IT IS SO ORDERED.**
10. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.2-1609 which provides that any order or decision of the Board may be appealed to the appropriate circuit court. Such appeals must be taken in the manner prescribed in the Administrative Process Act, Va. Code Ann. § 9-6.14:1 *et seq.* and Rule 2A of the Rules of the Virginia Supreme Court.
11. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

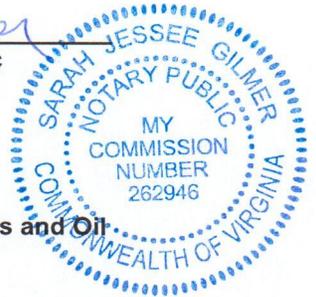
DONE AND EXECUTED this 25 day of September, 2023 by a majority of the Virginia Gas and Oil Board.

Chairman, Donald L. Ratliff

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 25<sup>th</sup> day of September, 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 26 day of September, 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 26<sup>th</sup> day of September, 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 the 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 DEPARTMENT OF ENERGY:

BEFORE THE VIRGINIA GAS AND OIL BOARD

Applicant:	EnerVest Operating, LLC	)
		)
Relief Sought:	Well Location Exception	)
	Well Number Well No. V-536907	)Docket Number
		)VGOB-23-0919-4272
		)
Legal Description:	D.A. Stallard Tract	)
	55.00 acres, more or less	)
	Pound Quadrangle	)
	Gladeville District	)
	Wise County, Virginia	)

APPLICATION

1. Parties:

1.1 Applicant herein is EnerVest Operating, LLC, whose address for the purposes hereof is 408 West Main Street, Abingdon, Virginia 24210, Telephone: (276) 628-9001. The attorney for Applicant is Timothy E. Scott, whose address is 135 West Main Street, Suite 200, Kingsport, Tennessee, 37660, Telephone: (423) 247-9376.

1.2 Applicant is the owner of the right to develop and produce oil and gas from all formations, from surface to total depth drilled in accordance with the permit submitted by applicant and located within the Gladeville District of Wise County, Virginia, and underlying the lands depicted at Exhibit "A-1" attached hereto and made a part hereof and to appropriate the oil and gas produced therefrom.

2. Allegation of Facts:

2.1 Applicant has proposed a plan of development and operation of the formations underlying the drilling unit involved herein and depicted at Exhibit "A-1" and has proposed to commence such plan of development and operation of such unit by a conventional gas well, designated as Well Number V-536907, to be drilled upon the lands involved herein so as to produce oil and gas from such unit.

2.2 That the unit depicted at Exhibit "A" hereof is subject to statewide spacing as provided under Virginia Code Annotated Section 45.2-1616. This section provides that "wells drilled in search of gas shall not be located closer than 2500 feet to any other well completed in the same pool." In consideration of all known conditions, it is the opinion of the Applicant that such distance limitation is not feasible for the unit described in Exhibit "A," because there is no legal location.

2.3 That to prevent waste, protect correlative rights, and provide for the maximum safe recovery of the mineral resources underlying the Commonwealth, the Board should allow for an exception to the distance limitation and statewide spacing.

2.4 That the proposed well, at the location requested by Applicant, is necessary to effectively and efficiently drain a portion of the common sources of supply (reservoir) underlying the unit described at Exhibit "A-1" which cannot be adequately and efficiently drained without an exception to the distance limitations and spacing rules.

2.5 The drilling unit involved herein is a circle having a radius of 1250 feet from the proposed well bore to be located 6862 feet West of Longitude Line 82 degrees 30 minutes and 00 seconds and 14,691 South of the Latitude Line 37 degrees 05 minutes 00 seconds (Virginia State Plane North 3,564,266.19 and East 10,309,020.84) in the Pound Quadrangle, Wise County, Virginia.

2.6 That EnerVest Operating, LLC, Well No. V-530906 lies 1,838 feet South 61 degrees 55 minutes West of proposed Well No. V-536907.

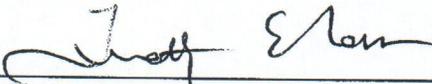
2.7 That proposed Well No. V-536907 is located on the D.A. Stallard 55.00-acre Tract and Applicant anticipates producing from the formations listed on Exhibit "A-2" from surface to total depth drilled, 5,900 feet.

3. Legal Authority: The relief sought by this Application is authorized by Virginia Code Annotated § 45.2-1616.

4. Relief Sought: Applicant requests the Virginia Gas and Oil Board to enter an order to enable Well No. V-536907 to be drilled as depicted on the plat attached as Exhibit "A" and that Applicant be granted the right to produce these formations which appear on the well work permit submitted to the Inspector.

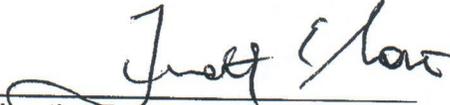
DATED this the 8<sup>th</sup> day of August, 2023.

ENERVEST OPERATING, LLC

  
\_\_\_\_\_  
Timothy E. Scott

VERIFICATION

The foregoing Application to the best of my knowledge, information and belief is true and correct.

  
\_\_\_\_\_  
Timothy E. Scott

[c:\msword\enervest\regulatory2023\well.location.exception.application.V-536907 May 2023]



V-536907 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
7-24-23

- ① D.A. Stallard  
55 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  
Gas 39.86 AC 35.37%
- ② WI-278  
John R. Stallard  
P/O 85.5 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
Leased  
Jimmy & Rosie Vanover - oil & gas  
11.57 Acres (Tr 2 of Division of 34.71 Ac.)  
Gas 6.09 AC 5.40%
- ③ WI-278  
P/O 85.5 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
Unleased  
Jimmie Vanover Jr. & Donna Vanover - oil & gas  
44.967 Acres  
Gas 19.86 AC 17.62%
- ④ Greene Cemetery  
WI-278 (coal)  
Leased  
James & Rosie Vanover - oil & gas  
Gas 1.00 AC 0.89%
- ⑤ WI-278  
John R. Stallard  
P/O 85.5 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
Unleased  
Deborah Vanover - oil & gas  
2.216 Acres  
Gas 1.24 AC 1.10%
- ⑥ WI-278  
P/O 85.5 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
Unleased  
Wiley Lee Vanover & Lisa D. Vanover - oil & gas  
+/- 5.47 Acres  
Gas 1.04 AC 0.92%
- ⑦ WI-36  
Jas. Harmon Bevins  
5.188 Acres (P/O 119.851)  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
KRP Marcellus I, et al - oil & gas  
Gas 5.01 AC 4.45%
- ⑧ WI-36  
Jas. Harmon Bevins  
119.851 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Leased  
James Vanover & Rosie Vanover - oil & gas  
44.683 Acres  
Gas 12.63 AC 11.22%
- ⑨ WI-36  
Jas. Harmon Bevins  
15.342 Acres (P/O 119.851)  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
KRP Marcellus I, et al - oil & gas  
Gas 10.60 AC 9.42%
- ⑩ WI-37  
G.W. Bevins  
P/O 176.452 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
KRP Marcellus I, et al - oil & gas  
Gas 14.45 AC 12.82%
- ⑪ G.W. Bevins  
P/O 176.452 Acres  
ACIN LLC - coal  
Paramont Contura, LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Contura, LLC - coal lessee  
John H. Bevins Heirs, Unknown - oil & gas  
Gas 0.92 AC 0.79%

**Exhibit "B"**  
**V-536907**  
**Docket Number: 23-0919-4272**

**DEPTH - 5,900'**

Dickenson-Russell Coal Company  
Maxxim Shared Services, LLC  
Attn: Steve Smith  
5703 Crutchfield Drive  
Norton, VA 24273

ALPHA Land & Reserves, LLC  
Attn: Steve Smith  
5703 Crutchfield Drive  
Norton, VA 24273

WBRD LLC  
Chad Mooney  
5260 Irwin Road  
Huntington, WV 25705-3247

ACIN LLC  
Chad Mooney  
5260 Irwin Road  
Huntington, WV 25705-3247

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

Jimmy & Rosie Vanover  
8262 Boggs Hill Rd  
Wise, VA 24293

Deborah Vanover  
8180 Boggs Hill Rd  
Wise, VA 24293

Wiley L. Vanover & Lisa D. Vanover  
8224 Boggs Hill Rd  
Wise, VA 24293

Jimmy Vanover Jr. & Donna Vanover  
8148 Boggs Hill Rd  
Wise, VA 24293

KRP Marcellus I, LLC  
777 Taylor Street, Suite 810  
Fort Worth, TX 76102

Kimbell Royalty Holdings, LLC  
777 Taylor Street, Suite 810  
Fort Worth, TX 76102

Rivercrest Royalties II, LLC  
777 Taylor Street, Suite 810  
Fort Worth, TX 76102

Diversified Rox Minerals, LLC  
C/O MSW Royalties, LLC  
306 West 7th Street, Suite 901  
Fort Worth, TX 76102

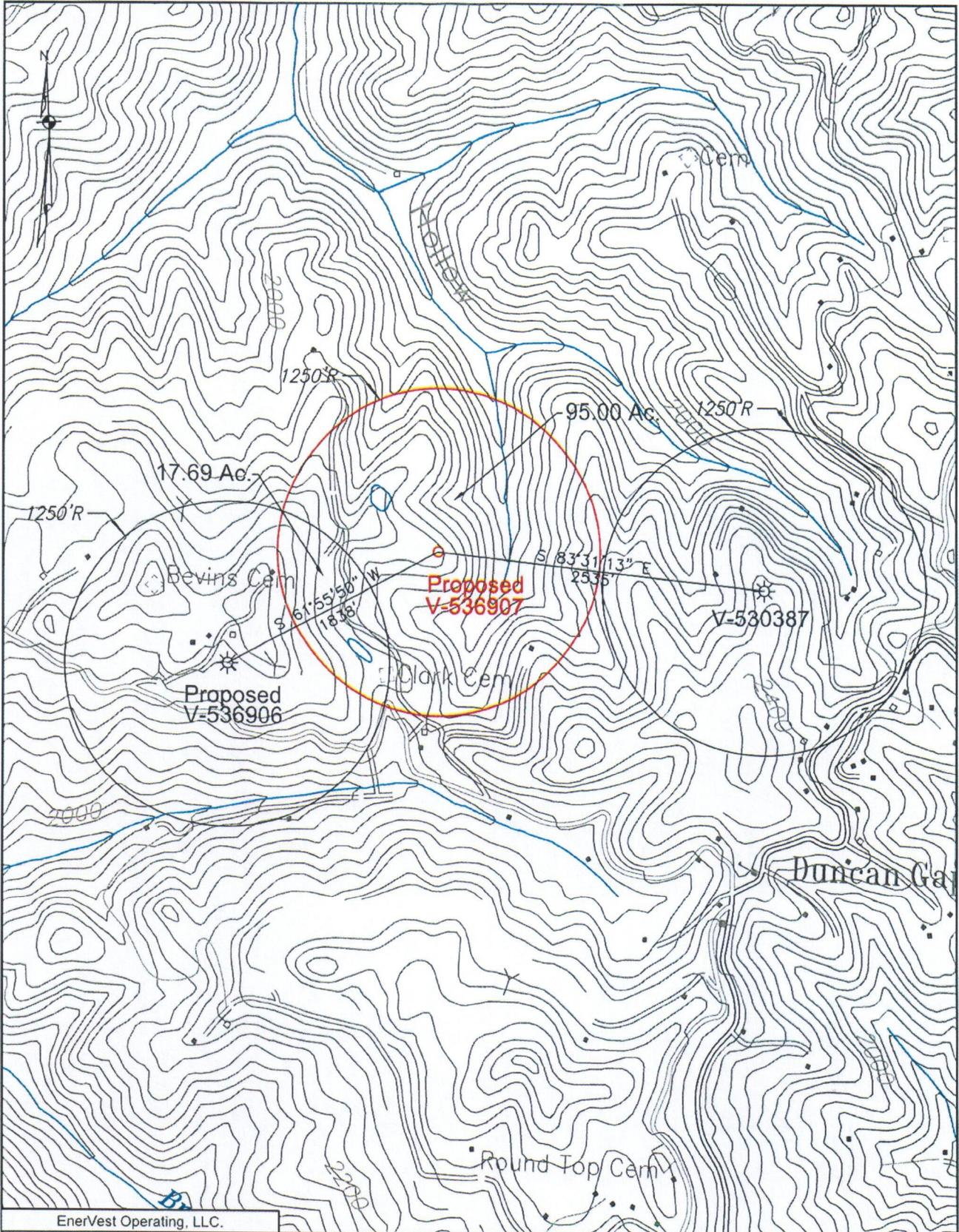
BRD Royalty Holdings, LLC  
2777 Stemmons Freeway, Suite 1133  
Dallas, TX 75207

Amon G Carter Foundation  
PO Box 1036  
Fort Worth, TX 76101

Exhibit "K"

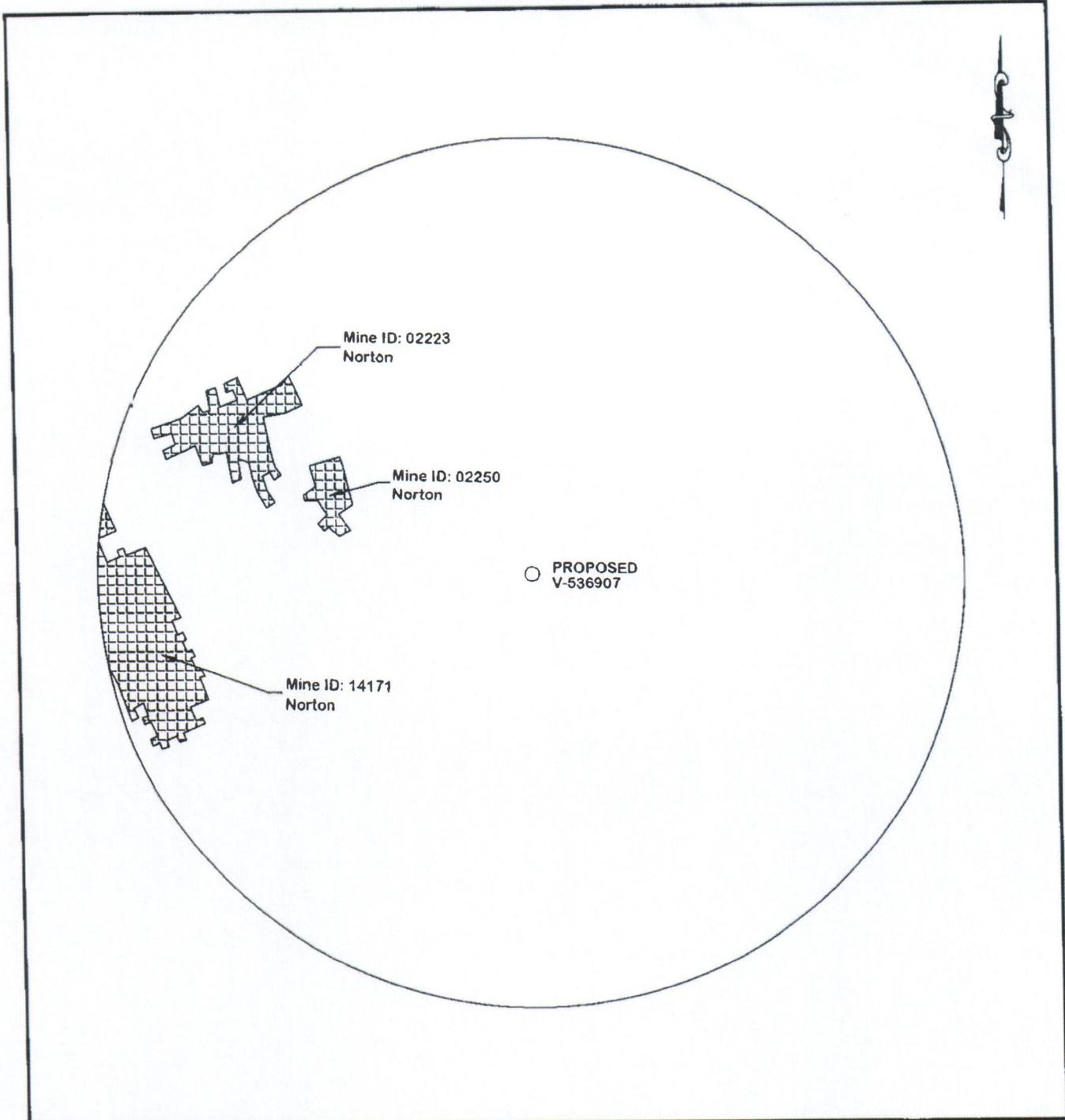
V-536907

23-0919-4272



EnerVest Operating, LLC.		<b>Location Exception Map</b>			
<b>Diamond Consulting Services, LLC</b> P.O. Box 4207 Wise, Virginia 24293					
		Well No. V-536907		AGP	MDC
Wise County		Pound Quad		Project Number	Scale
Gladeville District		Gladeville District		45.64	1" = 1000'
		Drawing Number		Loc. Map	Sheet
					1 of 1

Exhibit "L"  
V-536907  
23-0919-4272



### WELL & MINE LOCATION MAP

COMPANY EnerVest Operating, LLC WELL NAME AND NUMBER V-536907  
 QUADRANGLE Pound PERMIT NO. \_\_\_\_\_ SCALE 1" = 400' DATE 6-30-23

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

Recorded in the Clerk's Office of  
Wise County and the City of Norton

On Oct 17, 2023 at 11:07 AM.

J. Jack Kennedy, Jr., Clerk

Recorded by: Ally Connell