

240000563

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-530583  
(hereinafter "Subject Drilling Unit")

DOCKET NO. VGOB-23-1121-4278

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 November 29, 2023, and recorded as Instrument No. 230001556 in the Office of the Clerk of the Circuit Court for Buchanan County, Virginia on December 14, 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 7, 2024, disclosing that it mailed to all parties listed on Exhibit B-3 the Board Order by certified mail return receipt on December 26, 2023 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.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 November 29, 2023. The Affidavit of Elections indicates that the escrow of funds **is not** required with regard to Well No. VCI-530583.
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-530583, Docket No. VGOB-23-1121-4278 in the Hurricane District, Vansant 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 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 November 29, 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 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 November 29, 2023:

See Exhibit B-3

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

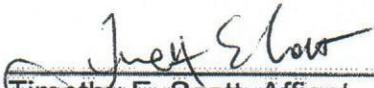
NONE

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 7<sup>th</sup> day of May, 2024.

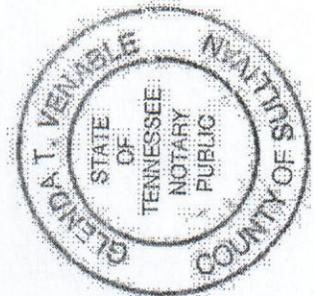
  
\_\_\_\_\_  
Timothy E. Scott, Affiant

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 7<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_  
Notary Public

My commission expires: 3/31/2027

[f:mword2000\enervest\2023\pooling.VCI-530583.supportorder&aff]



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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 20<sup>th</sup> 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 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-530583  
Docket No. VGOB-23-1121-4278  
Hurricane District, Vansant 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");

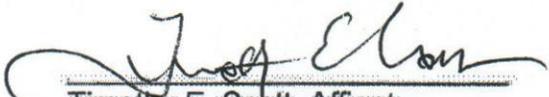
2. That Paragraph eighteen (18) of a Board Order made in the above-captioned matter effective as of the 29<sup>th</sup> day of November, 2023, and recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia, on the 14<sup>th</sup> day of December, 2023 as Instrument No. 230001556 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 by certified mail return receipt requested to the party respondent named therein;

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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.

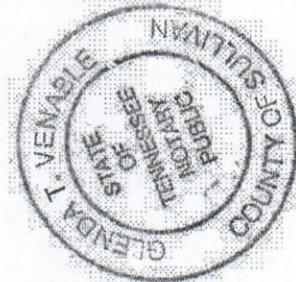
Dated at Kingsport, Tennessee, this 7<sup>th</sup> day of May, 2024.

  
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 7<sup>th</sup> day of May, 2024.

  
Notary Public

My commission expires: 3/31/2027



Well Coordinates: (Geographic N83)  
37.128120° -82.118794°

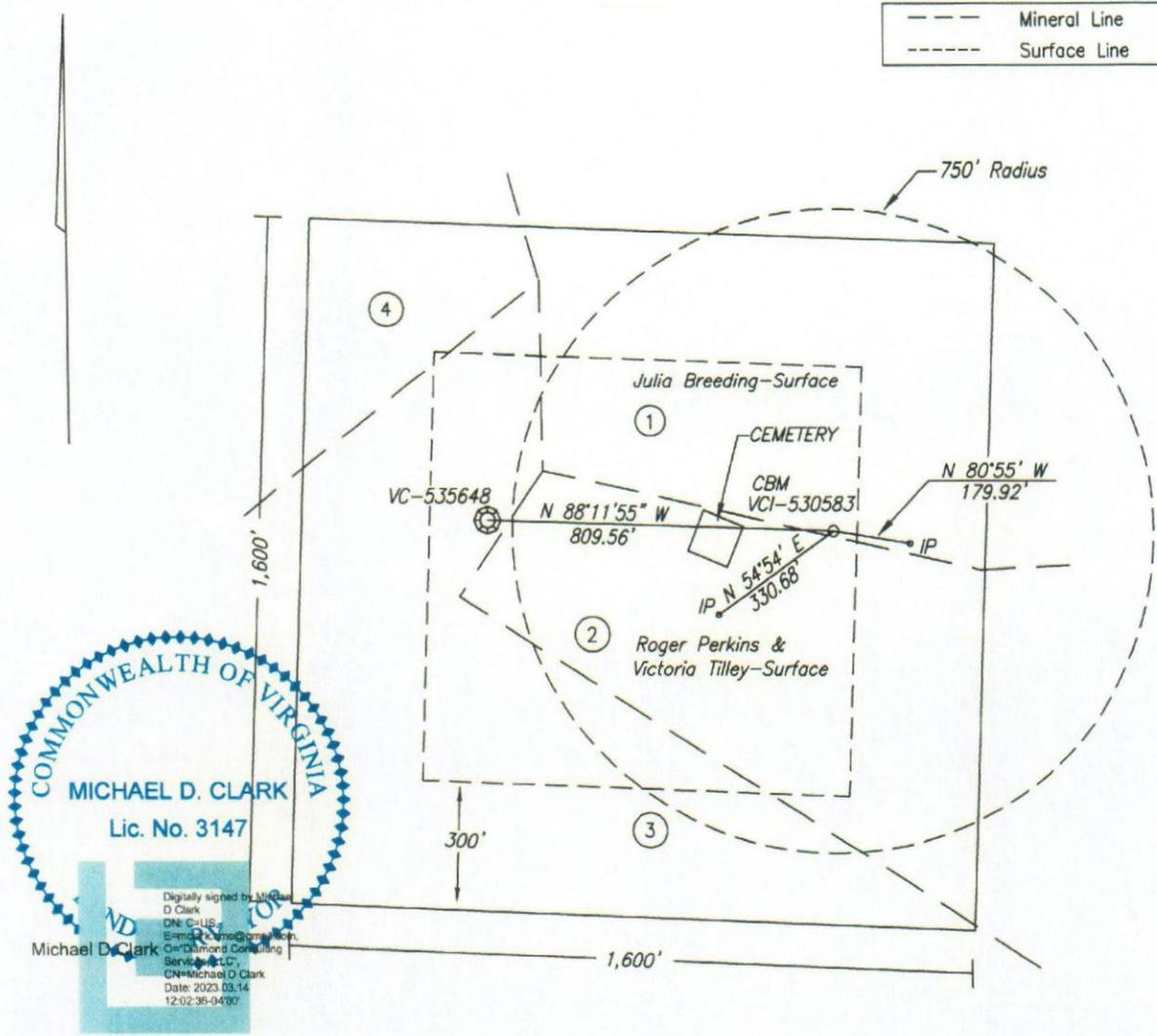
Well Coordinates: (UTM N27, Zone 17)  
N 13,482,438.60 E 1,314,315.85

Latitude 37° 10' 00"

--- Mineral Line  
- - - - Surface Line

Longitude 82° 05' 00"

14,075'



COMMONWEALTH OF VIRGINIA  
 MICHAEL D. CLARK  
 Lic. No. 3147

Digitally signed by Michael D. Clark  
 DN: C=US,  
 E=Michael.D.Clark@enervest.com,  
 O=Diamond Consulting Services, LLC,  
 CN=Michael D. Clark  
 Date: 2023.03.14 12:02:36-0400

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.

Well elevation determined by GPS survey from NGS OPUS

Area of Unit = 58.77 Ac.

Well Coordinates: (VA St. Plane S. Zone, NAD 83)  
 N 3,590,423.61 E 10,428,193.85

Well Coordinates: (VA St. Plane S. Zone, NAD 27 Calculated from NAD 83)  
 N 309,545.56 E 945,207.97

Well Coordinates: (Clinchfield Coal Co.)  
 N 10,217.78 E 77,145.42

WELL LOCATION PLAT NORA GRID AU-85

COMPANY Enervest Operating, LLC WELL NAME AND NUMBER VCI-530583  
 TRACT NO. \_\_\_\_\_ ELEVATION 1,998.02' QUADRANGLE Vansant  
 COUNTY Buchanan DISTRICT Hurricane SCALE 1" = 400' DATE 3-10-2023

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~~

VCI-530583 PLAT  
TRACT OWNERSHIP INFORMATION SCHEDULE  
3/10/2023

Page 1 of 1

- ① Lease No. 244790L  
Dennis Associates, Inc- 1/3 Int coal & gas  
P/O 248.4 Ac  
Julia Breeding Heirs- 1/3 Int coal, oil, & gas  
Vince Breeding Heirs- 1/3 Int coal, oil, & gas  
Gas 15.98 Ac. 27.19%
- ② T-606 Joseph Pressley  
580.19 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 15.44 Ac. 26.27%
- ③ T-597 Jacob Lester  
225.00 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 23.03 Ac. 39.19%
- ④ T-599 Jacob Lester  
230.96 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 4.32 Ac. 7.35%

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**Exhibit "B"**  
**VCI-530583**  
**23-1121-4278**  
**10/27/2023**

<b>Tract</b>	<b>Lessor</b>	<b>Lease Status</b>	<b>Interest Within Unit</b>	<b>Gross Acreage in Unit</b>
<b>Gas Estate Only</b>				
1	Tax # Minerals Only Dennis Associates, Inc. P.O. Box 2005 Grundy, VA 24614	Leased	9.06333300	5.32670000
	Yvonne & Carl Ray Route 1, Box 253 Vansant, VA 24656	Leased	1.51055600	0.88780000
	Louise V. Allen 1613 Mars Hill Drive - D Dayton, OH 45449	Leased	1.51055600	0.88780000
	Zane F. & Alleen Breeding 634 Mears Drive Miamisburg, OH 45342	Leased	1.51055600	0.88780000
	Udell & Roxie A. Breeding 1327 Marsha Drive Miamisburg, OH 45342	Leased	1.51055600	0.88780000
	Arthur F. & Kimberly Breeding 1441 Long Island Ct. Dayton, OH 453434	Leased	1.51055600	0.88780000
	Novelada E. Kahlau P.O. Box 2014 Marco Island, FL 34146	Leased	1.51055600	0.88780000
	Tyler B. Breeding 8274 Clifton Farm Ct Alexandria, VA 22306	Leased	7.04926451	4.14280075
	Ken Titus Breeding 12455 Yeawood Drive Boston, VA 22713	Unleased	2.01406649	1.18369925
	<b>Tract 1 Totals</b>		<b>27.19000000</b>	<b>15.98000000</b>

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**Exhibit "B"**  
**VCI-530583**  
**23-1121-4278**  
**10/27/2023**

<b>Tract</b>	<b>Lessor</b>	<b>Lease Status</b>	<b>Interest Within Unit</b>	<b>Gross Acreage in Unit</b>
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 Tax # Minerals Only	Owner	26.27000000	15.44000000
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 Tax # Minerals Only	Owner	39.19000000	23.03000000
4	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	7.35000000	4.32000000
<b>TOTAL GAS ESTATE</b>			<b>100.00000000</b>	<b>58.77000000</b>
	Percentage of Unit Leased		97.98593351	
	Percentage of Unit Unleased		2.01406649	
	Acreage in Unit Leased		57.58630075	
	Acreage in Unit Unleased		1.18369925	

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**Exhibit "B-3"**  
**VCI-530583**  
**23-1121-4278**  
**10/27/2023**

<b>Tract</b>	<b>Lessor</b>	<b>Lease Status</b>	<b>Interest Within Unit</b>	<b>Gross Acreage in Unit</b>
<b>Gas Estate Only</b>				
1	Tax # Minerals Only Ken Titus Breeding 12455 Yeawood Drive Boston, VA 22713	Unleased	2.01406649	1.18369925
<b>TOTAL GAS ESTATE</b>			<b>2.01406649</b>	<b>1.18369925</b>

INSTRUMENT 240000563  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY CIRCUIT COURT ON  
JUNE 11, 2024 AT 11:24 AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB