



Ohio Department of Natural Resources

MIKE DEWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Eric Vendel, Chief

Division of Oil and Gas Resources Management
2045 Morse Rd, Building F
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ORDER BY THE CHIEF

October 3, 2023

ORDER NO. 2023-202

**TO: EAP Ohio, LLC
5847 San Filipe, Suite 400
Houston, TX 77057**

**RE: Application for Unitization
Berger TC PER East Unit
Harrison and Tuscarawas Counties, Ohio**

**SUBJECT: Order for Unit Operations of the Utica shale and Point Pleasant Formation
for the Berger TC PER East Unit**

Pursuant to Ohio Revised Code (“R.C.”) § 1509.28, the Chief of the Division of Oil and Gas Resources Management (“Chief” or “Division”) makes the following Findings and issues the following Order with respect to EAP Ohio, LLC’s (“EAP”) Application for Unit Operations for the Berger TC PER East Unit:

DEFINITIONS:

As used in this order:

- 1) “Person” has the same meaning as in R.C. § 1509.01.
- 2) “Application” means the application of EAP Ohio, LLC for Unit Operation of the Berger TC PER East Unit signed on June 29, 2023, and includes all updates, amendments, and supplements to it.
- 3) “Royalty interest owner” means a person or the estate of a person, other than a working interest owner, who owns the right to or interest in any portion of the oil and/or gas, or proceeds from the sale thereof, from a tract.

- 4) “Working interest” means an interest in oil and/or gas in the unit area by virtue of a lease, operating agreement, fee title, or otherwise, including a carried interest, the owner of which is obligated to pay, either in cash or out of production or otherwise a portion of the unit expense.
- 5) “Working interest owner” means a person or the estate of a person who owns an interest in oil and/or gas in the unit area by virtue of a lease, operating agreement, fee title, or otherwise, including a carried interest, the owner of which is obligated to pay, either in cash or out of production or otherwise a portion of the unit expense. “Working interest owner” does not include an unleased mineral owner.
- 6) “Unleased mineral owner” means a royalty interest owner who owns oil and/or gas rights free of a lease or other instrument conveying all or any portion of the working interest in such rights to another. At the time of this order, there are no unleased mineral owners identified by EAP.
- 7) “Consenting working interest owner” means any working interest owner who enters into an agreement with EAP pertaining to the operation of the Berger TC PER East Unit.
- 8) “Non-consenting working interest owner” means a working interest owner who does not enter into an agreement with EAP pertaining to the operation of the Berger TC PER East Unit. At the time of this order, the non-consenting working interest owners identified by EAP include those listed as leased on Exhibit A with a 0.000% consenting working interest percentage.
- 9) “Gas” has the same meaning as in R.C. § 1509.01.
- 10) “Oil” has the same meaning as in R.C. § 1509.01.
- 11) “Unit Area” means all of the lands, oil and gas leases and/or oil and gas interests of the tracts as shown in Exhibit A totaling 724.508 acres located in Washington Township, Harrison County, and Perry Township, Tuscarawas County, Ohio as shown in Exhibit B.
- 12) “Unit Participation” means the ratio of the surface acreage of a specific tract in the unit area to the total surface acreage of the unit area as that total surface acreage is specified in paragraph one of the Plan for Unit Operations of this order.
- 13) “Gross Proceeds” means a share of the gross production of oil, gas, condensate, and natural gas liquids free of any and all cost of producing, gathering, storing, separating, treating, dehydrating, compressing, processing, transporting, marketing, or pipeline construction and maintenance.
- 14) “Net Proceeds” means the share of gross production of oil, gas, condensate, or natural gas liquids after payment of all costs of producing, gathering, storing, separating, treating, dehydrating, compressing, processing, transporting, and marketing and taxes.

BACKGROUND:

- 1) EAP filed the application pursuant to R.C. § 1509.28 to conduct unit operations.
- 2) Pursuant to R.C. § 1509.28, the Division held a hearing on August 22, 2023. The hearing was held to consider the need for the operation as a unit of an entire pool or part thereof. EAP representatives provided testimony on the application and answered questions from Division staff.
- 3) The unit operations will occur at an approximate true vertical depth located from the top of the Utica shale to the base of the Point Pleasant Formation.

FINDINGS:

- 1) Based on the application and testimony by EAP's representatives, the Chief finds that EAP has established that it is the "owner," as that term is defined in R.C. § 1509.01(K), of greater than 65% of the land area overlying the pool in the Berger TC PER East Unit as required by R.C. § 1509.28(A).
- 2) Based on the application and testimony by EAP's representatives, the Chief finds that the operation of the Berger TC PER East Unit is reasonably necessary to increase substantially the ultimate recovery of oil and gas.
- 3) Based on the application and testimony by EAP's representatives, the Chief finds the value of the estimated additional recovery of oil or gas from the Berger TC PER East Unit exceeds the estimated additional cost incident to conducting the operation of the Berger TC PER East Unit.

ORDER:

IT IS HEREBY ORDERED:

Pursuant to R.C. § 1509.28, EAP is authorized to conduct operations within the Berger TC PER East Unit in accordance with all of the following:

Plan for Unit Operations

- 1) The unit area is comprised of the tracts totaling 724.508 acres in Washington Township, Harrison County, and Perry Township, Tuscarawas County, Ohio as shown on Exhibit B.
- 2) EAP proposes to drill two wells in the Berger TC PER East Unit for the purpose of recovering oil and gas. EAP shall drill at least one well to total measured depth as specified in the application in the unit area within 12 months from the date of approval of this Order as prescribed in Paragraph 10 of this order. If EAP fails to drill at least one well to total measured depth as specified in the application in the unit area within 12 months from the

date of approval of this Order as prescribed in Paragraph 10 of this order, the Chief may revoke this order. In order to achieve the stated goal of substantially increasing the ultimate recovery of oil and gas from the Utica shale and Point Pleasant Formation within the unit area, EAP shall produce from two wells no later than three years after the date of approval of this order. If EAP fails to drill, complete, and produce at least two wells in the unit area, the Chief may amend or revoke this order. Any additional wells permitted by the Chief for the Utica shale and Point Pleasant Formation in the unit area are subject to this order.

- 3) Information from EAP for the Berger TC PER East Unit establishes that the Utica shale and Point Pleasant Formation uniformly underlies the unit area. Therefore, the allocated share of production to each tract shall be equal to that tract's unit participation.
- 4) Except as provided in Paragraph 9(d) of this order, all charges and credits made for investments in wells, tanks, pumps, machinery, materials, and equipment contributed to the Berger TC PER East unit operations shall be allocated among the working interest owners of each tract based on the unit participation. The proportionate share of the expenses attributable to tracts of the unleased mineral owners shall be allocated to EAP and the working interest owners.
- 5) All unit operation expenses, including capital investment, shall be charged to, and paid by, EAP and working interest owners in amounts based on the unit participation plus their proportionate share of the expenses attributable to the tracts of unleased mineral owners. All unit operation expenses concerning wells and operating equipment shall be just and reasonable.
- 6) If necessary, EAP and the consenting working interest owners shall carry, or otherwise finance, any non-consenting working interest owners who are unable to meet their financial obligations in connection with the unit operations. EAP and all other consenting working interest owners' reasonable interest charge for carrying or financing the non-consenting working interest owners shall be determined by the terms of EAP's Unit Agreement and Model Form Operating Agreement for the Berger TC PER East Unit. Once a specific cost is charged to the initial well, that same cost cannot be charged to subsequent wells in the unit area.
- 7) EAP shall supervise and conduct all unit operations. Each working interest owner shall have a voting interest equal to its Unit Participation. Approval of unit operations shall be subject to the terms of EAP's Unit Agreement and Model Form Operating Agreement for the Berger TC PER East Unit.

- 8) Unit operations may commence as of 7:00 a.m. on the day following the date of approval of this order as prescribed in Paragraph 10 of this order. Once the initial well is placed into production, operations within the Berger TC PER East Unit may continue as long as hydrocarbons are produced from any well in the unit area without a cessation of more than 90 days, unless otherwise approved by the Chief in writing. The Berger TC PER East Unit may be terminated if working interest owners owning at least 51% of the working interest in the unit area determine that the unit operations are no longer warranted. If the unit operations are so terminated, EAP shall provide written notice of the termination to the Division and to all unleased mineral owners. In addition to the notice of termination, EAP shall provide an affidavit to the Division attesting to the basis of the termination and all dates applicable to that basis. If termination of unit operations occurs prior to drilling and completing for production of two wells in the Berger TC PER East Unit, the Chief may amend this order.
- 9) The following additional provisions are found to be appropriate:
 - a) No activity associated with the drilling, completion, or operation of the Berger TC PER East Unit shall be conducted on the surface of any unleased property without the prior written consent of the owner of the surface rights of the unleased property.
 - b) Unleased mineral owners shall not incur liability for any personal or property damage associated with any drilling, testing, completing, producing, operating, or plugging and restoration activities within the Berger TC PER East Unit.
 - c) Each unleased mineral owner shall receive a monthly cash payment equal to a one-eighth share of the gross proceeds from production. Allocation of the one-eighth share shall be based on the unit participation of each unleased mineral owner's tract. EAP shall make monthly cash payments to all unleased mineral owners at the same time the royalty interest owners are paid.
 - d) In addition to the cash payment specified in paragraph 9(c) of this Order, each unleased mineral owner shall receive a monthly cash payment equal to a seven-eighths share of the net proceeds from production. Allocation of the seven-eighths share shall be based on the unit participation of each unleased mineral owner's tract. After EAP recovers 200% of the cost of drilling, testing, and completing the initial well, EAP shall begin making the monthly payments to the unleased mineral owners for that well. For each additional well drilled in the unit area, EAP shall begin making monthly payments equal to seven-eighths share of net proceeds from production to each unleased mineral owner once the working interest owners have recovered 150% of the cost of drilling, testing, and completing each additional well. Once a specific cost is charged to the initial well, that same cost cannot be charged to subsequent wells in the unit area.

- e) Nothing in this order prohibits an unleased mineral owner from entering into a lease agreement with EAP or with any other person. An unleased mineral owner who enters into a lease of their mineral interests with any person after the issuance of this order is no longer an unleased mineral owner under this order as of the effective date of the lease. EAP shall notify the Division upon the execution of a lease agreement with any unleased mineral owner who is subject to this order.
- f) Except as provided in Paragraph 9(d) of this order, no expenses shall be paid by an unleased mineral owner for drilling, testing, completing, producing, or operating any well in the unit area. Moreover, unleased mineral owners are not responsible for any costs related to plugging any well or any restoration in the unit area.
- g) If requested in writing by any unleased mineral owner or by any non-consenting working interest owner, or in any manner by the Division, EAP shall provide, not later than 30 days after the request, any of the following:
 - i. A monthly statement of all costs incurred, together with the quantity of oil and gas produced, and the amount of proceeds realized from the sale of production during the preceding month; and
 - ii. Any authorization for expenditure (AFE) prepared by EAP; and
 - iii. A statement of all costs and expenses for purposes of Paragraphs 6 and 9(d) of this order.
- h) EAP shall notify the Division of the assignment or transfer of any of its working interest in the Berger TC PER East Unit. If EAP assigns or transfers any of its working interest, the assignee or transferee shall comply with this order. Within 60 days of the notice of assignment or transfer, EAP shall file a copy of the notice with each applicable county recorder's office, in the records of each of the tracts that are subject to this order and referenced in Exhibit B of this order. EAP shall submit a certification of the filing to the Division within 14 days of filing.
- i) EAP shall notify the Division within 30 days if a person that is leased by EAP, or any other consenting working interest owner, for purposes of operating the Berger TC PER East Unit becomes unleased. If a person becomes unleased, the person is an unleased owner under this order and paragraphs 9(a) through 9(g) of this order apply.

- j) EAP shall notify the Division if any consenting working interest owner revokes, rescinds, or otherwise terminates the agreement with EAP pertaining to the operation of the Berger TC PER East Unit. If a consenting working interest owner revokes, rescinds, or otherwise terminates the agreement with EAP, the working interest owner becomes a non-consenting working interest owner pursuant to this order. EAP also shall notify the Division if any consenting working interest owner assigns or transfers all or part of its working interest in the Berger TC PER East Unit. All such assignees or transferees are subject to this order.
 - k) EAP shall notify the Division if any non-consenting working interest owner enters into an agreement with EAP pertaining to the operation of the Berger TC PER East Unit. If a non-consenting working interest owner enters into an agreement with EAP, the non-consenting working interest owner becomes a consenting working interest owner pursuant to this order.
 - l) If at any point EAP and consenting working interest owners own less than 65% of the unit, the Chief may amend or revoke this order.
- 10) This order becomes effective on the date EAP provides the Chief with final written approval of the unit operations as prescribed in this order by EAP and consenting working interest owners, and also by the royalty interest owners or, with respect to unleased acreage, unleased mineral owners of 65% of the acreage to be included in the unit. Unit operations may commence as set forth in Paragraph 8 of this Order. If EAP fails to provide all required approvals by April 3, 2024, the order is revoked, and the Chief shall provide notice of the revocation to EAP and to all persons listed in Exhibit A to this order.
 - 11) If this Chief's Order is appealed, the time periods specified in this order are tolled pending final determination of the appeal.
 - 12) Within 21 days of this order becoming effective, EAP shall file a copy of this order with each applicable county recorder's office in the records of each of the tracts that are subject to this order and referenced in Exhibit B of this order. EAP shall submit a certification of the filing to the Division within 14 days of filing. The certification shall include a reference to the volume and page number corresponding to each record where the Chief's Order is recorded.
 - 13) The Chief of the Division retains continuing jurisdiction over the Berger TC PER East Unit as is consistent with the Chief's powers and duties as established by R.C. Chapter 1509 and Ohio Admin. Code 1501:9. The Chief reserves the right to amend or revoke this Order subsequent to the commencement of unit operations within the unit area.
 - 14) Except as specifically set forth in the terms of this order, nothing herein shall be construed as a release or waiver of any private right, obligation, duty, claim, or cause of action.

- 15) If there is a conflict between the terms of this Chief's Order and any part of EAP's application, the Chief's Order takes precedence.

October 3, 2023

Eric Vendel

Date

/s/

Eric Vendel, Chief
Division of Oil and Gas Resources Management

Addressee is hereby notified that this action is final and effective and may be appealed pursuant to Section 1509.36 of the Ohio Revised Code. If the Order is appealed to the Ohio Oil and Gas Commission, the appeal must be in writing and must set forth the Orders complained of and the grounds upon which the appeal is based. Such appeal must be filed with the Oil and Gas Commission, 2045 Morse Road, Building E-1, Office 103, Columbus, Ohio 43229-6693, within 30 days after the date upon which the person to whom the Order was issued received the order and, for all other persons adversely affected by the order, within 30 days after the date of the Order.

In addition, within three days after the appeal is filed with the Oil and Gas Commission, notice of the filing must be submitted to Eric Vendel, Chief, Division of Oil and Gas Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building F, Columbus, Ohio 43229-6693.

Enclosures: Exhibit A
Exhibit B

Berger TC PER East Unit Chief's Order Exhibit A

Exhibit "A"

All Mineral Owners in the proposed Berger TC PER East Unit

TRACT NUMBER	LEASE ID NUMBER	MINERAL OWNERS	LEASED Y/N	DECIMAL INTEREST IN TRACT	SURFACE ACRES IN UNIT	TRACT PARTICIPATION IN UNIT	TAX MAP PARCEL ID	TOWNSHIP	COUNTY	CONSENTING WORKING INTEREST PERCENTAGE	EAP OHIO, LLC WORKING INTEREST PERCENTAGE	BURJ ENERGY LLC WORKING INTEREST PERCENTAGE	CGAS APPALACHIA, LLC WORKING INTEREST PERCENTAGE	RHDK OIL & GAS, LLC WORKING INTEREST PERCENTAGE	R&S OPERATING, LLC WORKING INTEREST PERCENTAGE	ADDRESS	CITY	STATE	ZIP CODE	SUPPLEMENT 8.4.2023
1*	EAP Consenting Working Interest	RHDK Investments, LLC ATTN: Keith Kimball	Y	1.000	32.101	4.431%	780015000	Perry	Tuscarawas	4.287%	3.456%	0.831%	0.000%	0.000%	0.000%	3596 State Route 39 NW	Dover	OH	44622	
1*	Non-Consenting Working Interest	RHDK Investments, LLC ATTN: Keith Kimball	Y				780015000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.143%	0.000%	3596 State Route 39 NW	Dover	OH
2*	EAP Consenting Working Interest	Berlin Mineral Co., LLC ATTN: Merle Mullet, Managing Member	Y	1.000	4.452	0.614%	7800133000	Perry	Tuscarawas	0.587%	0.452%	0.115%	0.020%	0.000%	0.000%	PO Box 295	Berlin	OH	44610	
2*	Non-Consenting Working Interest	Berlin Mineral Co., LLC ATTN: Merle Mullet, Managing Member	Y				7800133000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.027%	0.000%	PO Box 295	Berlin	OH
3A	EAP Consenting Working Interest	The Hey Jack Sportsman Club ATTN: John A. Maxwell, President	Y	1.000	11.295	1.559%	7800128000	Perry	Tuscarawas	1.508%	1.216%	0.292%	0.000%	0.000%	0.000%	PO Box 107	Uhrichsville	OH	44683	
3A	Non-Consenting Working Interest	The Hey Jack Sportsman Club ATTN: John A. Maxwell, President	Y				7800128000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.050%	0.000%	PO Box 107	Uhrichsville	OH
3B	EAP Consenting Working Interest	The Hey Jack Sportsman Club ATTN: John A. Maxwell, President	Y	1.000	0.009	0.001%	7800128000	Perry	Tuscarawas	0.001%	0.001%	0.0003%	0.000%	0.000%	0.000%	PO Box 107	Uhrichsville	OH	44683	
3B	Non-Consenting Working Interest	The Hey Jack Sportsman Club ATTN: John A. Maxwell, President	Y				7800128000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.0001%	0.000%	PO Box 107	Uhrichsville	OH
4	EAP	Dalton Lee Hines, a single man	Y	1.000	2.065	0.285%	7800254000	Perry	Tuscarawas	0.285%	0.285%	0.000%	0.000%	0.000%	0.000%	14225 Horseshoe Bend SE	Tippecanoe	OH	44699	
5	EAP	Dalton Lee Hines, a single man	Y	1.000	1.727	0.238%	7800253000	Perry	Tuscarawas	0.238%	0.238%	0.000%	0.000%	0.000%	0.000%	14225 Horseshoe Bend SE	Tippecanoe	OH	44699	
6	EAP	Edward A. Singhaus	Y	0.500	16.330	2.254%	7800244000	Perry	Tuscarawas	2.254%	2.254%	0.000%	0.000%	0.000%	0.000%	1361 Goshen Hill Road SE	New Philadelphia	OH	44663	Unleased to Leased
6	EAP	Donald L. Singhaus	Y	0.500	16.330	2.254%	7800244000	Perry	Tuscarawas	2.254%	2.254%	0.000%	0.000%	0.000%	0.000%	5287 Fallen Timber Road SE	Tippecanoe	OH	44699	Unleased to Leased
7	EAP	The Hey Jack Sportsman Club ATTN: John A. Maxwell, President	Y	1.000	1.707	0.236%	7800165000	Perry	Tuscarawas	0.236%	0.236%	0.000%	0.000%	0.000%	0.000%	PO Box 107	Uhrichsville	OH	44683	
8	EAP	Edward A. Singhaus	Y	0.500	0.956	0.132%	7800247000	Perry	Tuscarawas	0.132%	0.132%	0.000%	0.000%	0.000%	0.000%	1361 Goshen Hill Road SE	New Philadelphia	OH	44663	Unleased to Leased
8	EAP	Donald L. Singhaus	Y	0.500	0.956	0.132%	7800247000	Perry	Tuscarawas	0.132%	0.132%	0.000%	0.000%	0.000%	0.000%	5287 Fallen Timber Road SE	Tippecanoe	OH	44699	Unleased to Leased
9	EAP	Edward A. Singhaus	Y	0.500	10.137	1.399%	7800242000	Perry	Tuscarawas	1.399%	1.399%	0.000%	0.000%	0.000%	0.000%	1361 Goshen Hill Road SE	New Philadelphia	OH	44663	Unleased to Leased
9	EAP	Donald L. Singhaus	Y	0.500	10.137	1.399%	7800242000	Perry	Tuscarawas	1.399%	1.399%	0.000%	0.000%	0.000%	0.000%	5287 Fallen Timber Road SE	Tippecanoe	OH	44699	Unleased to Leased
10	EAP	Edward A. Singhaus	Y	0.500	1.545	0.213%	7800243000	Perry	Tuscarawas	0.213%	0.213%	0.000%	0.000%	0.000%	0.000%	1361 Goshen Hill Road SE	New Philadelphia	OH	44663	Unleased to Leased
10	EAP	Donald L. Singhaus	Y	0.500	1.545	0.213%	7800243000	Perry	Tuscarawas	0.213%	0.213%	0.000%	0.000%	0.000%	0.000%	5287 Fallen Timber Road SE	Tippecanoe	OH	44699	Unleased to Leased
11	EAP Consenting Working Interest	Mark H. Weaver and Naomi Sue Weaver, husband and wife, as survivorship tenants	Y	1.000	0.992	0.137%	7800219000	Perry	Tuscarawas	0.129%	0.089%	0.034%	0.006%	0.000%	0.000%	8545 Frease Road	Fredericksburg	OH	44627	
11	Non-Consenting Working Interest	Mark H. Weaver and Naomi Sue Weaver, husband and wife, as survivorship tenants	Y				7800219000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.008%	0.000%	8545 Frease Road	Fredericksburg	OH	44627
12	EAP	Edward A. Singhaus	Y	0.500	0.366	0.051%	7800246000	Perry	Tuscarawas	0.051%	0.051%	0.000%	0.000%	0.000%	0.000%	1361 Goshen Hill Road SE	New Philadelphia	OH	44663	Unleased to Leased
12	EAP	Donald L. Singhaus	Y	0.500	0.366	0.051%	7800246000	Perry	Tuscarawas	0.051%	0.051%	0.000%	0.000%	0.000%	0.000%	5287 Fallen Timber Road SE	Tippecanoe	OH	44699	Unleased to Leased
13	EAP	EAP Mimeris, LLC ATTN: Tanner Quiring	Y	1.000	98.947	13.657%	7800305000	Perry	Tuscarawas	13.657%	13.657%	0.000%	0.000%	0.000%	0.000%	5847 San Felipe Street, Suite 400	Houston	TX	77057	
14	EAP Consenting Working Interest	Sandra K. Cappel, a widow	Y	1.000	1.515	0.209%	7800172000	Perry	Tuscarawas	0.200%	0.154%	0.039%	0.007%	0.000%	0.000%	13698 Linden Road SE	Tippecanoe	OH	44699	
14	Non-Consenting Working Interest	Sandra K. Cappel, a widow	Y				7800172000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.009%	0.000%	13698 Linden Road SE	Tippecanoe	OH
15	EAP Consenting Working Interest	Sandra K. Cappel, a widow	Y	1.000	0.029	0.004%	7800404000	Perry	Tuscarawas	0.004%	0.003%	0.001%	0.000%	0.000%	0.000%	13698 Linden Road SE	Tippecanoe	OH	44699	
15	Non-Consenting Working Interest	Sandra K. Cappel, a widow	Y				7800404000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.0002%	0.000%	13698 Linden Road SE	Tippecanoe	OH
16	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	15.471	2.135%	7800277000	Perry	Tuscarawas	2.135%	2.135%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
17	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	6.591	0.910%	7800278000	Perry	Tuscarawas	0.910%	0.910%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
18	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	21.917	3.025%	7800276000	Perry	Tuscarawas	3.025%	3.025%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
19*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	70.212	9.691%	7800270000	Perry	Tuscarawas	9.265%	7.134%	1.817%	0.314%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	

Exhibit "A"

All Mineral Owners in the proposed Berger TC PER East Unit

TRACT NUMBER	LEASE ID NUMBER	MINERAL OWNERS	LEASED Y/N	DECIMAL INTEREST IN TRACT	SURFACE ACRES IN UNIT	TRACT PARTICIPATION IN UNIT	TAX MAP PARCEL ID	TOWNSHIP	COUNTY	CONSENTING WORKING INTEREST PERCENTAGE	EAP OHIO, LLC WORKING INTEREST PERCENTAGE	BURJ ENERGY LLC WORKING INTEREST PERCENTAGE	CGAS APPALACHIA, LLC WORKING INTEREST PERCENTAGE	RHDK OIL & GAS, LLC WORKING INTEREST PERCENTAGE	R&S OPERATING, LLC WORKING INTEREST PERCENTAGE	ADDRESS	CITY	STATE	ZIP CODE	SUPPLEMENT 8.4.2023
19*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800270000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.426%	PO Box 176	Gnadenhutzen	OH	44629	
20	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	9.918	1.369%	7800261000	Perry	Tuscarawas	1.369%	1.369%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
21*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	13.142	1.814%	7800269000	Perry	Tuscarawas	1.734%	1.335%	0.340%	0.059%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
21*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800269000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.080%	PO Box 176	Gnadenhutzen	OH	44629
22	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	0.050	0.007%	7800262000	Perry	Tuscarawas	0.007%	0.007%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
23*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	0.755	0.104%	7800272000	Perry	Tuscarawas	0.100%	0.077%	0.020%	0.003%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
23*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800272000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.005%	PO Box 176	Gnadenhutzen	OH	44629
24*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	12.501	1.725%	7800271000	Perry	Tuscarawas	1.650%	1.270%	0.324%	0.056%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
24*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800271000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.076%	PO Box 176	Gnadenhutzen	OH	44629
25*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	63.823	8.809%	7800273000	Perry	Tuscarawas	8.422%	6.485%	1.652%	0.285%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
25*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800273000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.387%	PO Box 176	Gnadenhutzen	OH	44629
26*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	13.185	1.820%	7800266000	Perry	Tuscarawas	1.740%	1.340%	0.341%	0.059%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
26*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800266000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.080%	PO Box 176	Gnadenhutzen	OH	44629
27*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	25.966	3.584%	7800275000	Perry	Tuscarawas	3.426%	2.638%	0.672%	0.116%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
27*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800275000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.157%	PO Box 176	Gnadenhutzen	OH	44629
28*	EAP Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	3.116	0.430%	7800274000	Perry	Tuscarawas	0.411%	0.317%	0.081%	0.014%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
28*	Non-Consenting Working Interest	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y				7800274000	Perry	Tuscarawas	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	0.019%	PO Box 176	Gnadenhutzen	OH	44629
29	Consenting Working Interest	RHDK Investments, LLC ATTN: Keith Kimball	Y	1.000	50.514	6.972%	7800158000	Perry	Tuscarawas	6.972%	0.000%	0.000%	0.000%	6.972%	0.000%	3596 State Route 39 NW	Dover	OH	44622	Unleased to Consenting
30	EAP	Stocker Concrete Co. ATTN: Thomas R. Stocker, President	Y	1.000	6.831	0.943%	7800357000	Perry	Tuscarawas	0.943%	0.943%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
31	EAP	Stocker Sand and Gravel Company ATTN: Bryan Stocker, VP	Y	1.000	7.090	0.979%	7800176000	Perry	Tuscarawas	0.979%	0.979%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
32	EAP	Stocker Sand and Gravel Company ATTN: Bryan Stocker, VP	Y	1.000	15.366	2.121%	7800175000	Perry	Tuscarawas	2.121%	2.121%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
33	Consenting Working Interest	RHDK Investments, LLC ATTN: Keith Kimball	Y	1.000	18.215	2.514%	7800158002	Perry	Tuscarawas	2.514%	0.000%	0.000%	0.000%	2.514%	0.000%	3596 State Route 39 NW	Dover	OH	44622	Unleased to Consenting
34	EAP	Stocker Sand and Gravel Company ATTN: Bryan Stocker, VP	Y	1.000	0.487	0.067%	7800181000	Perry	Tuscarawas	0.067%	0.067%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
35	EAP	Stocker Sand and Gravel Company ATTN: Bryan Stocker, VP	Y	1.000	6.758	0.933%	7800173000	Perry	Tuscarawas	0.933%	0.933%	0.000%	0.000%	0.000%	0.000%	PO Box 176	Gnadenhutzen	OH	44629	
36	EAP	Jack A. Hison, married	Y	1.000	9.581	1.322%	7800078000	Perry	Tuscarawas	1.322%	1.322%	0.000%	0.000%	0.000%	0.000%	15129 State Route 258	Tippecanoe	OH	44699	
37A	EAP	Golden Eagle Resources II, LLC ATTN: Michael Faust	Y	0.750	19.544	2.698%	300000090000	Washington	Harrison	2.698%	2.698%	0.000%	0.000%	0.000%	0.000%	600 Jefferson Street, Suite 2000	Houston	TX	77002	
37A	EAP	Barbara Gardner	Y	0.250	6.515	0.899%	300000090000	Washington	Harrison	0.899%	0.899%	0.000%	0.000%	0.000%	0.000%	26140 Norris Road	Tippecanoe	OH	44699	
37B	EAP	Golden Eagle Resources II, LLC ATTN: Michael Faust	Y	0.750	2.346	0.324%	300000090000	Washington	Harrison	0.324%	0.324%	0.000%	0.000%	0.000%	0.000%	600 Jefferson Street, Suite 2000	Houston	TX	77002	
37B	EAP	Barbara Gardner	Y	0.250	0.782	0.108%	300000090000	Washington	Harrison	0.108%	0.108%	0.000%	0.000%	0.000%	0.000%	26140 Norris Road	Tippecanoe	OH	44699	
38	EAP	Gertrude Thelma Plotts, a widow and not remarried	Y	0.500	19.811	2.734%	7800028000	Perry	Tuscarawas	2.734%	2.734%	0.000%	0.000%	0.000%	0.000%	PO Box 203	Freeport	OH	43973	
38	EAP	Clara Ann Bear, a widow and not remarried	Y	0.500	19.811	2.734%	7800028000	Perry	Tuscarawas	2.734%	2.734%	0.000%	0.000%	0.000%	0.000%	113 East Main Street	Freeport	OH	43973	
39	EAP	Aaron M. Zone	Y	1.000	0.583	0.080%	7800356000	Perry	Tuscarawas	0.080%	0.080%	0.000%	0.000%	0.000%	0.000%	38782 Lakeshore Blvd.	Willoughby	OH	44094	

Section 3-A

Exhibit "A"

All Mineral Owners in the proposed Berger TC PER East Unit

TRACT NUMBER	LEASE ID NUMBER	MINERAL OWNERS	LEASED Y/N	DECIMAL INTEREST IN TRACT	SURFACE ACRES IN UNIT	TRACT PARTICIPATION IN UNIT	TAX MAP PARCEL ID	TOWNSHIP	COUNTY	CONSENTING WORKING INTEREST PERCENTAGE	EAP OHIO, LLC WORKING INTEREST PERCENTAGE	BURJ ENERGY LLC WORKING INTEREST PERCENTAGE	CGAS APPALACHIA, LLC WORKING INTEREST PERCENTAGE	RHDK OIL & GAS, LLC WORKING INTEREST PERCENTAGE	R&S OPERATING, LLC WORKING INTEREST PERCENTAGE	ADDRESS	CITY	STATE	ZIP CODE	SUPPLEMENT 8.4.2023
40	EAP	Aaron M. Zone	Y	1.000	21.218	2.929%	7800213000	Perry	Tuscarawas	2.929%	2.929%	0.000%	0.000%	0.000%	0.000%	38782 Lakeshore Blvd.	Willoughby	OH	44094	
41A	EAP	Golden Eagle Resources II, LLC ATTN: Michael Faust	Y	1.000	0.320	0.044%	300000089000	Washington	Harrison	0.044%	0.044%	0.000%	0.000%	0.000%	0.000%	600 Jefferson Street, Suite 2000	Houston	TX	77002	
41B	EAP	Golden Eagle Resources II, LLC ATTN: Michael Faust	Y	1.000	6.785	0.936%	300000089000	Washington	Harrison	0.936%	0.936%	0.000%	0.000%	0.000%	0.000%	600 Jefferson Street, Suite 2000	Houston	TX	77002	
41C	EAP	Golden Eagle Resources II, LLC ATTN: Michael Faust	Y	1.000	39.106	5.398%	300000089000	Washington	Harrison	5.398%	5.398%	0.000%	0.000%	0.000%	0.000%	600 Jefferson Street, Suite 2000	Houston	TX	77002	
42*	EAP	Gregory J. Bear a/k/a James Gregory Bear	Y	0.583	0.416	0.057%	7800026000	Perry	Tuscarawas	0.057%	0.057%	0.000%	0.000%	0.000%	0.000%	16148 S Westchester Road SE	Tippecanoe	OH	44699	
42*	EAP	Howard Douglas Bear ATTN: James Gregory Bear	Y	0.208	0.149	0.021%	7800026000	Perry	Tuscarawas	0.021%	0.021%	0.000%	0.000%	0.000%	0.000%	6308 State Route 258	Tippecanoe	OH	44699	
42*	EAP	Carol J. McKay	Y	0.208	0.149	0.021%	7800026000	Perry	Tuscarawas	0.021%	0.021%	0.000%	0.000%	0.000%	0.000%	6463 State Route 258	Tippecanoe	OH	44699	
43	EAP	Eric A. Bear	Y	1.000	1.790	0.247%	300000016000	Washington	Harrison	0.247%	0.247%	0.000%	0.000%	0.000%	0.000%	26010 Westchester Road	Tippecanoe	OH	44699	Unleased to Leased
43	EAP	Nighthawk Holdings, LLC** ATTN: Robert J. Hunter, Manager	Y	**	**	**	300000016000	Washington	Harrison	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%	5635 Twp. Road 258	Millersburg	OH	44654	Unleased to Leased
44	EAP	Eric A. Bear	Y	1.000	0.193	0.027%	300000016001	Washington	Harrison	0.027%	0.027%	0.000%	0.000%	0.000%	0.000%	26010 Westchester Road	Tippecanoe	OH	44699	Unleased to Leased

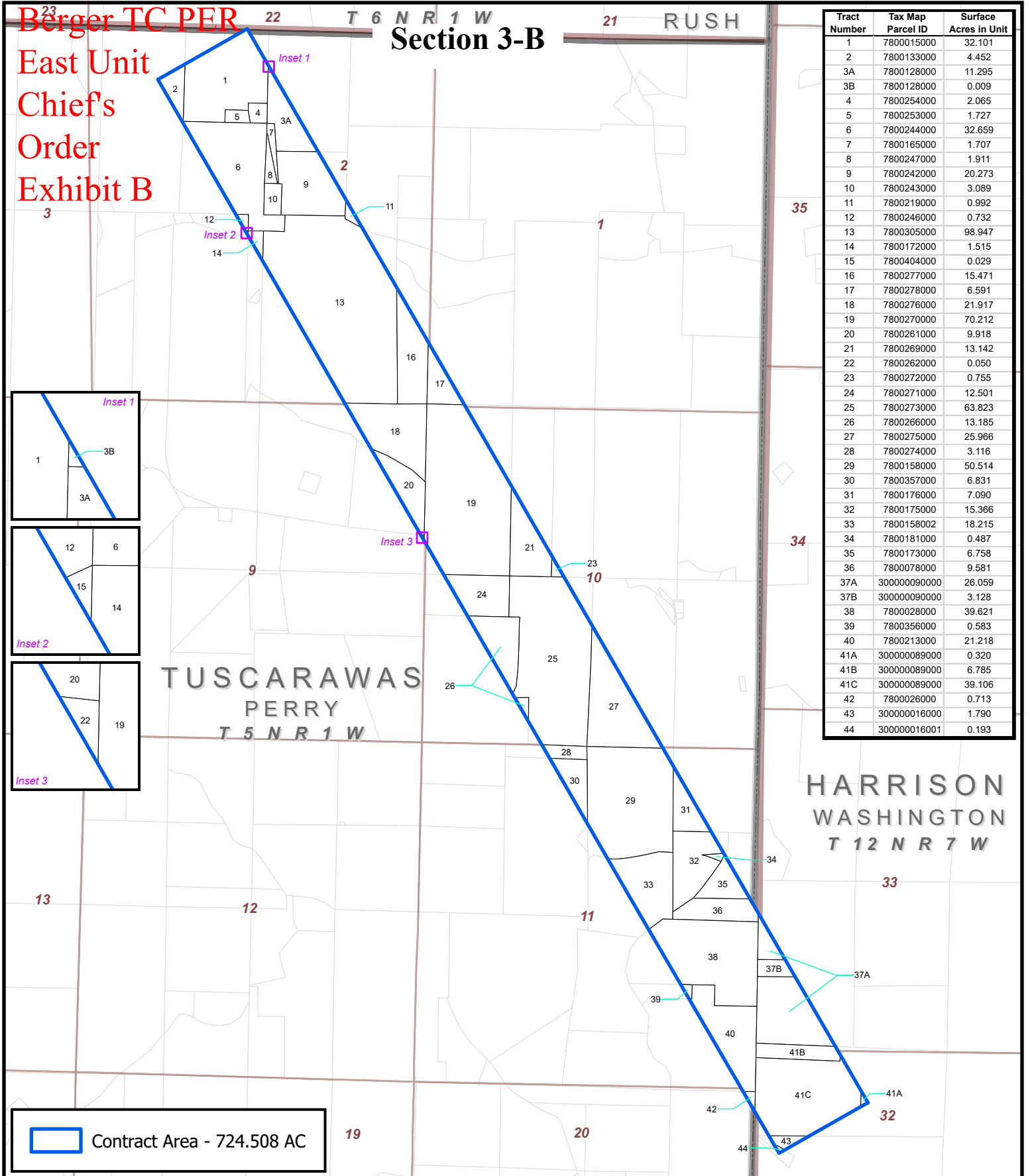
TOTAL NET LEASED ACRES:	713.873	98.532%	98.532%	81.548%	6.559%	0.939%	9.486%	1.468%
TOTAL UNIT ACRES:	724.508							

* Indicates a mineral owner with an oil and gas lease with a non-conforming pooling/unitization provision
 **NPRI Owner
 ***REMAINDERMAN - Under Ohio law, an oil and gas lease must be granted by the life tenant and remainderman. The life tenant has the present interest and the minerals are attributed accordingly herein. At the termination of the life tenancy, the remainderman's interest vests.

END OF EXHIBIT "A"

Berger TC PER
East Unit
Chief's
Order
Exhibit B

Section 3-B

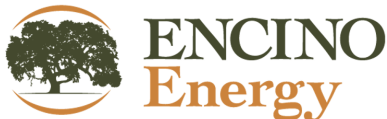
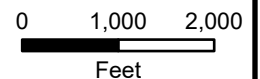


Tract Number	Tax Map Parcel ID	Surface Acres in Unit
1	7800015000	32.101
2	7800133000	4.452
3A	7800128000	11.295
3B	7800128000	0.009
4	7800254000	2.065
5	7800253000	1.727
6	7800244000	32.659
7	7800165000	1.707
8	7800247000	1.911
9	7800242000	20.273
10	7800243000	3.089
11	7800219000	0.992
12	7800246000	0.732
13	7800305000	98.947
14	7800172000	1.515
15	7800404000	0.029
16	7800277000	15.471
17	7800278000	6.591
18	7800276000	21.917
19	7800270000	70.212
20	7800261000	9.918
21	7800269000	13.142
22	7800262000	0.050
23	7800272000	0.755
24	7800271000	12.501
25	7800273000	63.823
26	7800266000	13.185
27	7800275000	25.966
28	7800274000	3.116
29	7800158000	50.514
30	7800357000	6.831
31	7800176000	7.090
32	7800175000	15.366
33	7800158002	18.215
34	7800181000	0.487
35	7800173000	6.758
36	7800078000	9.581
37A	300000090000	26.059
37B	300000090000	3.128
38	7800028000	39.621
39	7800356000	0.583
40	7800213000	21.218
41A	300000089000	0.320
41B	300000089000	6.785
41C	300000089000	39.106
42	7800026000	0.713
43	300000016000	1.790
44	300000016001	0.193

Contract Area - 724.508 AC

Exhibit B

Berger TC PER East Unit
Perry & Washington Townships
Tuscarawas & Harrison Co., OH



1 inch = 2,000 feet

Prepared Date: 6/14/2023