



DB 578 PG557

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

**JURISDICTION:** Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

**UNITWELL NAME:** EH-18

**TRACT(S):** A portion of 001

**LOCATION:** DICKENSON County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit E - Exhibit EE

**DOCKET NUMBER:** VGOB-90-0419-0004-02

**APPLICANTS:** Appalachian Energy on behalf of Unknown Heirs of John Wilson Counts, Unknown Heirs of Juanita Przybycki

**HEARING DATE AND LOCATION:** On November 19, 2019, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process previously identified unknown/unlocatable royalty owner(s) disbursements that have no pending deficiencies or issues. All future royalty payments will be paid directly from the operator to the Department of Treasury and/or the rightful identified owner. Effective date: November 19, 2019.

**FUTURE INQUIRIES/CLAIMS:** Funds for unknown/unlocatable owners in this order are being sent to the Department of Treasury under the provisions of Title 55.1, Section 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act. To make a claim regarding these funds, please contact the Department of Treasury, Unclaimed Property Division, P. O. Box 2485, Richmond, Virginia 23218-2478. Phone: 1-800-468-1088. E-Mail: [UCPmail@trs.virginia.gov](mailto:UCPmail@trs.virginia.gov)

**APPEARANCES:** Tim Scott on behalf of Appalachian Energy

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 05/18/1990, Recorded on 05/30/1990, Deed Book/Instrument No. 265, Page 708, County DICKENSON.

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2. Supplemental Order Executed 01/03/1994, Recorded on 01/06/1994, Deed Book/Instrument No. 297, Page 426, County DICKENSON.

**NOTICE:**

(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Track(s) A portion of 001 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Track(s) A portion of 001 relative to the interests of the Applicants identified in the attached petition.

(3) Close the escrow account under this docket number.

**FINDINGS:** Code of Virginia § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

THE DISBURSEMENT IS FOR UNKNOWN / UNLOCATABLE LANDOWNERS AND IS BEING DISBURSED TO THE DEPARTMENT OF TREASURY, UNDER THE PROVISIONS OF TITLE 55.1, 55.1-2500-2545 OF THE VIRGINIA DISPOSITION OF UNCLAIMED PROPERTY ACT.

RELIEF GRANTED:

VGOB Disbursement  
Unit EH-18

VGOB-90-0419-0004-02

Table 1

Tracts: A portion of 001

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
		Total acreage in escrow before disbursement				13.32000		
001 Tract 001 (total acreage)			63.5500					

1	001	Unknown Heirs of John Wilson Counts\c/o Department of Treasury, Unclaimed Property Division, PO Box 2478, Richmond, VA 23218	1/5	12.7100	100.00%	12.7100	95.4204%	
2	001	Unknown Heirs of Juanita Hunt Przybycki\c/o Department of Treasury, Unclaimed Property Division, PO Box 2478, Richmond, VA 23218	0.95987/100	0.6100	100.00%	0.6100	4.5796%	

Adjustment Comments:

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to close the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

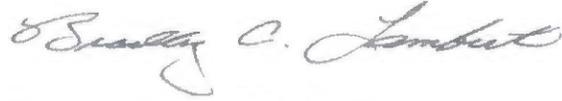
**CONCLUSION:**

Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

**APPEALS:**

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 6 day of August, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

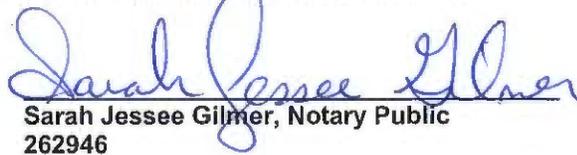
DONE AND PERFORMED this 6 day of August, 2020 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 6<sup>th</sup> day of August, 2020, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, 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, 2021



## BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Appalachian Energy

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 90-0419-0004-02

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 001 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES.**

**HEARING DATE:** On November 19, 2019, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process previously identified unknown/unlocatable royalty owner(s) disbursements that have no pending deficiencies or issues. All future royalty payments will be paid directly from the operator to the Department of Treasury and/or the rightful identified owner. Effective date: November 19, 2019.

**FUTURE INQUIRIES/CLAIMS:** Funds for unknown/unlocatable owners in this order are being sent to the Department of Treasury under the provisions of Title 55.1, Section 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act. To make a claim regarding these funds, please contact the Department of Treasury, Unclaimed Property Division, P. O. Box 2485, Richmond, Virginia 23218-2478. Phone: 1-800-468-1088. E-Mail: UCPmail@trs.virginia.gov

DRILLING UNIT: EH-18

DICKENSON COUNTY, VIRGINIA

## PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is Appalachian Energy, P. O. Box 2406, Abingdon, VA 24212, (276)619-3880. Petitioner's counsel is Tim Scott, McKinnis & Scott Law Firm, 135 W. Main St., Kingsport, TN 37660.

2. Relief Sought

Disbursement of Unknown/Unlocatable landowners to the Department of Treasury, under the provisions of Title 55.1, 55.1-2500-2545 of the Virginia Disposition of Unclaimed Property Act.

3. Legal Authority

Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of Well(s)

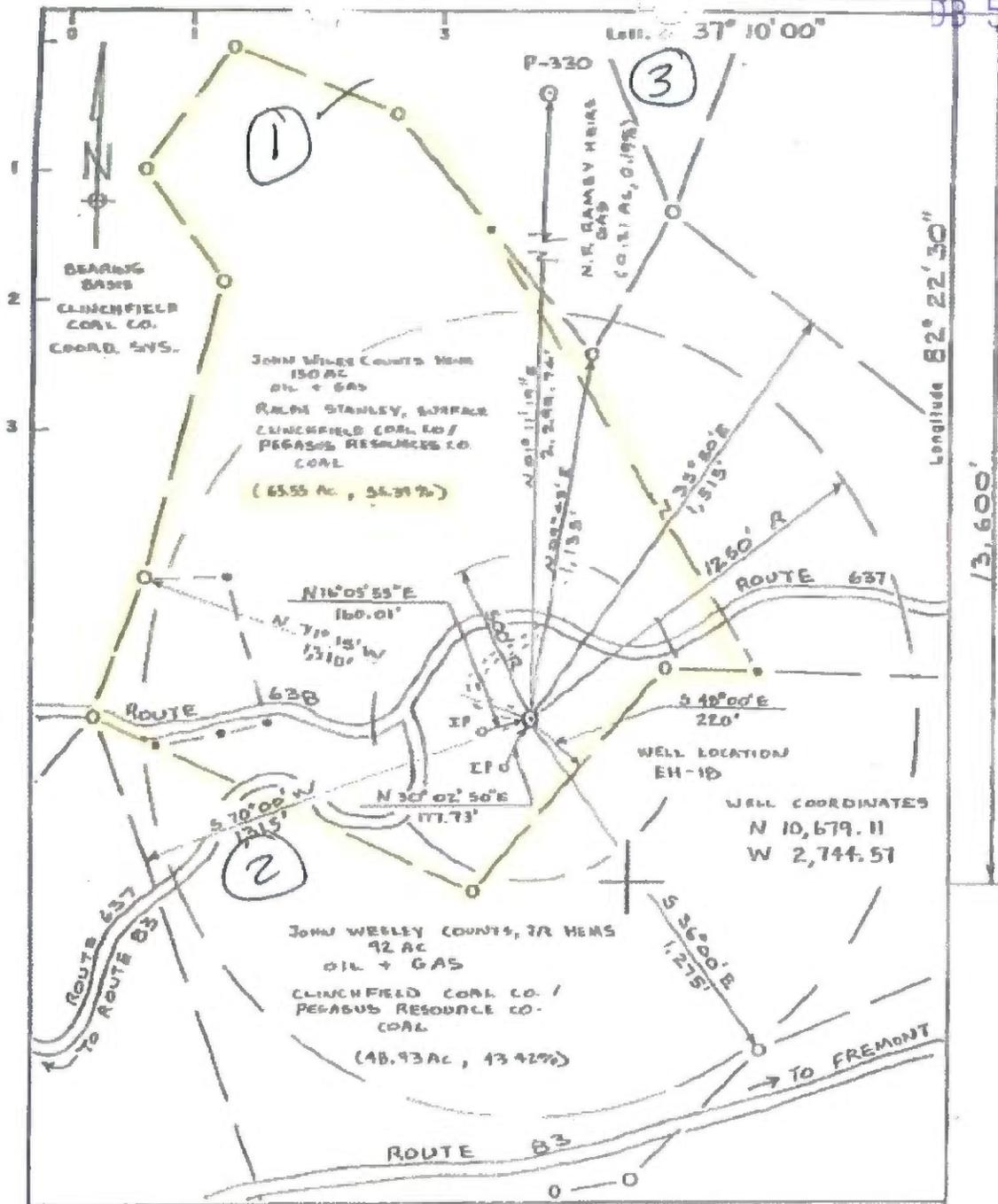
Conventional

5. Factual basis for relief requested

THE DISBURSEMENT IS FOR UNKNOWN / UNLOCATABLE LANDOWNERS AND IS BEING DISBURSED TO THE DEPARTMENT OF TREASURY, UNDER THE PROVISIONS OF TITLE 55.1, 55.1-2500-2545 OF THE VIRGINIA DISPOSITION OF UNCLAIMED PROPERTY ACT.

6. Attestation

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



COMPANY EDWARDS + HARDING PETROLEUM CO.  
 ADDRESS P.O. Box 2404, ABINGDON, VA 24210  
 WELL NAME EH-18  
 FARM JOHN W. COUNTS TRACT  
 LEASE NO. \_\_\_\_\_ ELEVATION 2089.49  
 ACRES 130.0 QUADRANGLE CLINTWOOD  
 COUNTY DICKENSON DISTRICT CLINTWOOD  
 REG. ENGINEER VA REG. NO. 8540  
 CERT. LAND SURVEYOR \_\_\_\_\_ CERT. NO. \_\_\_\_\_  
 FILE NO. \_\_\_\_\_ DRAWING NO. 04/89  
 DATE 01-05-90 SCALE 1" = 400'

This plat is X new        updated  
 This plat X is        is not based on a mine  
 coordinate system established for the area of  
 the well location.

FORM 5

### WELL LOCATION MAP

WELL NO. EH-18

+ Denotes location of well on United States  
 Topographic Maps, scale 1 to 24,000, lat-  
 itude and longitude lines being represented  
 by border lines as shown.

#### CERTIFICATION OF WELL PLAT

I, the undersigned, hereby certify that  
 this plat is correct and shows all  
 information required by law and the  
 rules of the Va. Well Control Board.

*AMP*  
 LICENSE No. 8640  
 Registered Engineer or Professional Engineer  
 Land Surveyor in Charge

EXHIBIT "B"  
EH-18

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
		Gas Estate Only		
1	John Wiley Counts		56.39%	63.55
0.2000	John Wilson Counts Unlocatable	Unleased	11.28%	12.71
0.01	Juanita Przybycki Heirs Unlocatable	Unleased	0.54%	0.61
0.0330	Margaret Adams 585 Highland Avenue Mansfield, OH 44903	Leased	1.86%	2.10
0.0060	Betty Jean Dombay P.O. Box 673 St. Paul, VA 24283	Leased	0.34%	0.38
0.0060	R. G. Turner 1484 Oak Ridge Park Road Santa Maria, CA 93455	Leased	0.34%	0.38
0.0060	Darryl Turner 2106 Stadium Drive Durham, NC 27705	Leased	0.34%	0.38
0.0060	Paul David Turner 2106 Stadium Drive Durham, NC 27705	Leased	0.34%	0.38
0.0060	Emma Raible 61 Livingston Street Rhinebeck, NY 12572	Leased	0.34%	0.38
0.0060	Billy Herndon, JR Rt. 5 Box 420, Apt 2 Marion, VA 24354	Leased	0.34%	0.38
0.0170	Paul Hugh Turner P.O. Box 394 St. Paul, VA 24283	Leased	0.96%	1.08
0.0170	Linda Sue Boothe Rt. 1 Box 43 Castlewood, VA 24224	Leased	0.96%	1.08
0.025	Jay L. Mutter, Jr 4115 Nichols Road Medina, OH 44256	Leased	1.410%	1.589
0.025	Yvonne Wolfe Box 283 War, WV 24892	Leased	1.410%	1.589
0.025	Allene Mutter 1315 Knollwood Drive Monroeville, PA 15146	Leased	1.410%	1.589
0.025	Madeline Kantor 1315 Knollwood Drive Monroeville, PA 15146	Leased	1.410%	1.589
0.100	Jacqueline Robarta Allio 501 Dogwood Avenue Wise, VA 24293	Leased	5.639%	6.355
0.050	Faye Cridlin P.O. Box 118 Jonesville, VA 24263	Leased	2.820%	3.178
0.050	Louise Fraley P.O. Box 350 Appalachia, VA 24216	Leased	2.820%	3.178
0.081	Esther Kiser Counts PO Box 245 Clinchco, VA 24226	Leased	4.539%	5.116

0.040	1	Billy Counts Rt. 2, Box 721 Haysl, VA 24256	Leased	2.256%	2.542
0.040	1	Bobby Counts Rt. 2, Box 721 Haysl, VA 24256	Leased	2.256%	2.542
0.040	1	Betty Counts Turner Box 245 Clincho, VA 24226	Leased	2.256%	2.542
0.010	1	John Hunt 15676 Tacoma Street Detroit, MI 48205	Leased	0.564%	0.636
0.010	1	Lucy Chapman 15676 Tacoma Street Detroit, MI 48205	Leased	0.564%	0.636
0.028	1	Joseph B. Counts White Pine Road Kentuk, WV 25248	Leased	1.579%	1.779
0.028	1	William Counts 1337 C. Woodward Drive Charleston, WV 25312	Leased	1.579%	1.779
0.009	1	Wilme Miller Box 12 White Pine Road Kentuk, WV 25248	Leased	0.508%	0.572
0.009	1	Kathern Casto 10 White Pine Road Kentuk, WV 25248	Leased	0.508%	0.572
0.009	1	Albert Counts 348 Shamblyn St. Leon, WV 25123	Leased	0.508%	0.572
0.028	1	Sheiden Counts Aultz Traller Court Sissonville Drive Charleston, WV 25312	Leased	1.579%	1.779
0.028	1	Alice Counts Hackney 208 Twin Lakes Court Anderson, SC 29621	Leased	1.579%	1.779
0.028	1	Hazel Stire 6144 Aultz Traller Court Sissonville Drive Charleston, WV 25312	Leased	1.579%	1.779
	2	John Wealey Counts, Jr		43.42%	48.93
0.0555	2	Paul Hugh Turner P.O. Box 394 St. Paul, VA 24283	Leased	2.410%	2.716
0.0555	2	Linda Sue Boothe Rt. 1 Box 43 Castlewood, VA 24224	Leased	2.410%	2.716
0.0555	2	Ellen Turner P.O. Box 394 St. Paul, VA 24283	Leased	2.410%	2.716
0.1667	2	Margaret Adams 585 Highland Avenue Mansfield, OH 44903	Leased	7.238%	8.157
0.1250	2	Madeline Kantor 1315 Knollwood Drive Monroeville, PA 15146	Leased	5.428%	6.118
0.1250	2	Allene Mutter 1315 Knollwood Drive Monroeville, PA 15146	Leased	5.428%	6.116
0.1250	2	Yvonne Wolfe Box 283 War, WV 24692	Leased	5.428%	6.116

0.0278	2	Betty Jean Dornby P.O. Box 673 St. Paul, VA 24283	Leased	1.207%	1.360
0.1250	2	Jay L. Mutter, Jr 4115 Nichols Road Medina, OH 44256	Leased	5.428%	6.116
0.0278	2	Billy Herndon, JR Rt. 5 Box 420, Apt 2 Marion, VA 24354	Leased	1.207%	1.360
0.0278	2	R. G. Turner 1484 Oak Ridge Park Road Santa Maria, CA 93455	Leased	1.207%	1.360
0.0278	2	Darryl Turner 2106 Stadium Drive Durham, NC 27705	Leased	1.207%	1.360
0.0278	2	Paul David Turner 2106 Stadium Drive Durham, NC 27705	Leased	1.207%	1.360
0.0278	2	Emma Raible 81 Livingston Street Rhinebeck, NY 12572	Leased	1.207%	1.360
	3	<b>N. F. Ramey, III</b>		0.190%	0.210
0.0873	3	Joe Ramey Rt. 1, Box 89 Coeburn, VA 24230	Leased	0.017%	0.018
0.2619	3	Mary Lawson Rt. 1, Box 84 Coeburn, VA 24230	Leased	0.050%	0.055
0.0952	3	Gerald & Fay Miller Rt. 12, Box 266 Lexington, NC 27292	Leased	0.018%	0.020
0.0952	3	Horace & Eloise Friedman 149 Cumberland View Drive Oakridge, TN 37830	Leased	0.018%	0.020
0.0952	3	June & Roy Wolf 1655 W. 145th Street Gardena, CA 90247	Leased	0.018%	0.020
0.0952	3	Nancy & Roger Ahearn 6550 South Pickering Ave. Whittier, CA 90601	Leased	0.018%	0.020
0.0318	3	Joe & Carol Robbins 5833 S. Whiting Rd. Poplar Grove, IL 61965	Leased	0.006%	0.007
0.0318	3	Robin Kittie 771 Parker Woods Rockford, IL 61101	Leased	0.006%	0.007
0.0318	3	George & Margaret Norman Rt. 1, Box 125A Bushnell, FL 33513	Leased	0.006%	0.007
0.0873	3	Donna Perry 2941 Brookside Run Snellville, GA 30278	Leased	0.017%	0.018
0.0873	3	Kathy Blankenbecler 81 Livingston Street Rhinebeck, NY 12572	Leased	0.017%	0.018
<b>TOTALS</b>					
Total Percentage Leased				88.19%	
Total Percentage Unleased				11.82%	
Total				100.00%	
Total Acreage Leased					99.38
Total Acreage Unleased					13.32
Total					112.69

**EXHIBIT "E"**  
**VGOB DOCKET #90-0419-0004-02**  
**EH-18**

**APPALACHIAN ENERGY, INC.**  
**41-2028360**

<b>TRACT</b>	<b>LESSOR</b>	<b>INTEREST IN UNIT</b>	<b>GROSS ACRES IN UNIT</b>
N/A	N/A	N/A	N/A

EXHIBIT "EE"  
 VGOB DOCKET #90-0419-0004-02  
 EH-18

APPALACHIAN ENERGY, INC.  
 41-2028360

TAX ID	TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
			<u>Gas Estate Only</u>		
	1	John Wiley Counts		56.39%	63.55
0.20	"Minerals Only"	1	Unknown Heirs of John Wilson Counts c/o Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218	Unleased	11.28% 12.71
0.01	"Minerals Only"	1	Unknow Heirs of Juanita Przybycki c/o Department of Treasury Unclaimed Property Division PO Box 2478 Richmond, VA 23218	Unleased	0.5370% 0.61
				<b>Total Acreage Resolved</b>	<b>13.32</b>
				<b>Total Percentage Resolved</b>	<b>1.4769%</b>

INSTRUMENT 200000782  
 RECORDED IN THE CLERK'S OFFICE OF  
 DICKENSON CIRCUIT COURT ON  
 AUGUST 26, 2020 AT 11:53 AM  
 RICHARD W. EDWARDS, CLERK  
 RECORDED BY: CJB