

Instrument Control Number

20200180800100

Instrument 202001808  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On May 08, 2020 at 10:54 AM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy  
**(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 [11]  
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

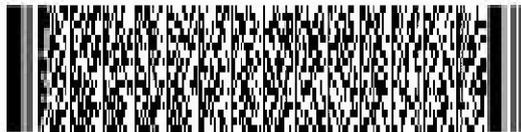
| Last Name                     | First Name | Middle Name | Suffix |
|-------------------------------|------------|-------------|--------|
| [DIVERSIFIED PRODUCTION LLC ] | [ ]        | [ ]         | [ ]    |

Grantee Address (Name) [DIVERSIFIED PRODUCTION LLC ]  
(Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Consideration[00.00 ] Assessed Value[00.00 ]

Prior Instr. Recorded at: City  County  Other   
Book [0000 ] Page[00000 ] Instr. No.[ ]  
Parcel Identification no. {PIN} [000000 ]  
Short Property Description [SEE DOCUMENT ]  
Current Property Address (Address1) [P. O. BOX 0000 ]  
(Address2) [ ]  
(City, State, Zip) [WISE ] [VA ] [00000 ]

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 ]



*Instrument prepared by:***VIRGINIA GAS AND OIL BOARD***Order recorded under:***CODE OF VIRGINIA  
§ 45.1-361.26****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

UNIT/WELL NAME: V-2717

TRACT(S): 005

LOCATION: WISE 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-94-0419-0441-01

**APPLICANTS:** Diversified Production on behalf of Karen Utterback c/o Department of Treasury, Randall Utterback c/o Department of Treasury

**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

**APPEARANCES:** Tim Scott on behalf of Diversified Production

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 05/27/1994, Recorded on 06/03/1994, Deed Book/Instrument No. 780, Page 252, County WISE.
2. Supplemental Order Executed 10/30/1994, Recorded on 11/10/1994, Deed Book/Instrument No. 790, Page 606, County WISE.

**NOTICE:**

(1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 005 identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 005 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:

This disbursement is for the unlocatable person(s) Randall Utterback and Karen Utterback, being a partial interest in Tract No. 5 of the above described well unit, 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.



**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 7 day of May, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

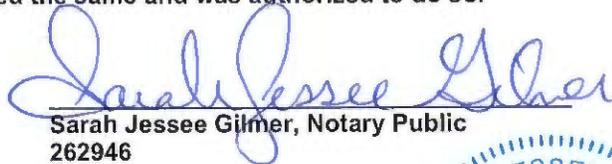
DONE AND PERFORMED this 7 day of May, 2020 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 7<sup>th</sup> day of May, 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: Diversified Production

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 94-0419-0441-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 005 (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](mailto:UCPmail@trs.virginia.gov)

DRILLING UNIT: V-2717

WISE COUNTY, VIRGINIA

**PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS**

**1. Petitioner and its counsel**

Petitioner is Diversified Production, 4150 Belden Village Avenue NW, Suite 410, Canton, OH 44718-2553; 330-493-0440. Petitioner's counsel is Tim Scott, McKinnis & Scott Law Firm, 135 W. Main St., Kingsport, TN 37660.

**2. Relief Sought**

This 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.

**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)**

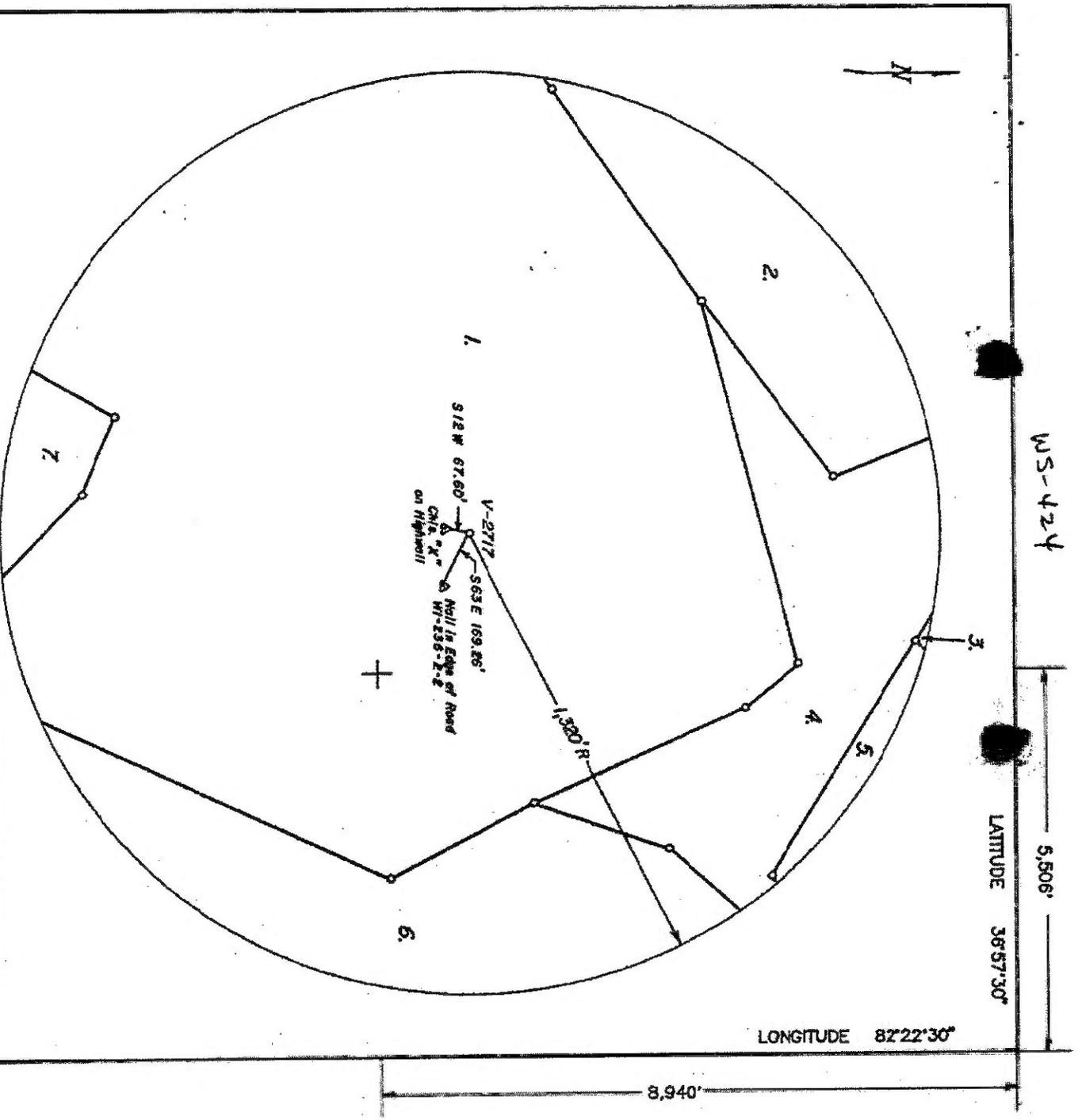
Conventional

**5. Factual basis for relief requested**

This disbursement is for the unlocatable person(s) Randall Utterback and Karen Utterback, being a partial interest in Tract No. 5 of the above described well unit, 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.



AREA OF WELL UNIT = 125.66 AC.  
 Well Elevation determined by trigonometric leveling  
 from VCC Survey Mark No. CR 34-80.1

Well Coordinates (VA State Plane)  
 N242,078.00 E862,210.71

WELL LOCATION MAP

COMPANY Equitable Resources Exploration  
 TRACT NO. WI-235  
 COUNTY WISE DISTRICT \_\_\_\_\_  
 This plat is a new plat  on updated plat \_\_\_\_\_ or a final plat \_\_\_\_\_  
 Denotes the location of a well on United States Topographic Maps, scale 1  
 24,000, latitude and longitude lines being represented by border lines shown.

WELL NAME AND NUMBER  
 QUADRANGLE  
 SCALE 1:400



Form DGO-60-7  
 Licensed Professional Engineer or Licensed Land Surveyor

**Attachment DGO-GO-7A  
Gas Well No. V-2717  
Equitable Resources Exploration**

| D'nation | Ownership   |  | Gas Tract Ownership |             |                    |           |
|----------|---|--|---------------------|-------------|--------------------|-----------|
|          | Gas   | Surface / Coal   | Tract Acreage       | Gas Acreage | Percentage of Unit | Lease No. |
| 1        | Virginia Iron, Coal & Coke Co.<br>G. B. Williams Tract (WI-236) | Virginia Iron, Coal & Coke Co.   | 104.250             | 80.995      | 64.456%            | 223010L   |
| 2        | Virginia Iron, Coal & Coke Co.<br>I. O. Kennedy Tract (WI-180)  | Virginia Iron, Coal & Coke Co.   | 131.672             | 10.174      | 8.096%             | 223010L   |
| 3        | William E. Sluss  | William E. Sluss - Surface, Oil & Gas<br>Virginia Iron, Coal & Coke Co. - Coal | 11.758              | 0.037       | 0.029%             |           |
| 4        | Virginia Iron, Coal & Coke Co.<br>V & T Campbell Tract (WI-113) | Virginia Iron, Coal & Coke Co.   | 14.462              | 14.215      | 11.312%            | 223010L   |
| 5        | W. J. Evans Estate<br>(Partial Interest Unleased)               | VICC - Coal<br>W. J. Evans Est. - Surface, Oil & Gas                           | 43.000              | 1.286       | 1.023%             | 244726L   |
| 6        | Virginia Iron, Coal & Coke Co.<br>I. O. Kennedy Tract (WI-182)  | Virginia Iron, Coal & Coke Co.   | 326.277             | 14.766      | 11.751%            | 223010L   |
| 7        | Clinchfield Lumber & Supply Co.<br>c/o Hubert K. Fletcher       | Clinchfield Lumber & Supply Co. -<br>Surface, Oil & Gas; VICC - Coal           | 26.000              | 4.187       | 3.332%             | 223062L   |
|          |   |  |                     |             |                    |           |
|          |   |  |                     |             |                    |           |
|          |   |  |                     |             |                    |           |

TOTAL                      125.660                      100.000%

Page Number 9.

Exhibit E  
V2717

Docket #VGOB 94-0419-0441-01

List of Owners Currently Escrowed

| <u>Tract</u>                        | <u>Lessor</u> | <u>Lease Status</u> | <u>Interest Within Unit</u> | <u>Gross Acres in Unit</u> |
|-------------------------------------|---------------|---------------------|-----------------------------|----------------------------|
| <i>Escrowing No Longer Required</i> |               |                     |                             |                            |

Exhibit EE  
V2717

Docket #VGOB 94-0419-0441-01  
List of Owners - Escrow No Longer Required

| <u>Tract</u>        | <u>Lessor</u>                | <u>Lease Status</u> | <u>Interest Within Unit</u> | <u>Gross Acres in Unit</u> |
|---------------------|------------------------------|---------------------|-----------------------------|----------------------------|
| 5<br>TAX ID# 006708 | Randall Utterback<br>Unknown | Unleased            | 0.00176400%                 | 0.00227                    |
|                     | Karen Utterback<br>Unknown   | Unleased            | 0.00176400%                 | 0.00227                    |
|                     | Total Gas Estate             |                     | 0.00352800%                 | 0.00454                    |

Instrument 202001808  
Recorded in the Clerk s Office of  
Wise County and the City of Norton  
On May 08, 2020 at 10:54 AM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy