

Instrument Control Number

20200268300100

Instrument 202002683  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Jul 10, 2020 at 11:35 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 [10]  
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

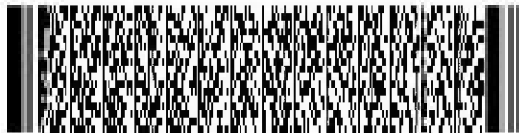
| Last Name                     | First Name | Middle Name | Suffix |
|-------------------------------|------------|-------------|--------|
| [DIVERSIFIED PRODUCTION LLC ] | [ ]        | [ ]         | [ ]    |

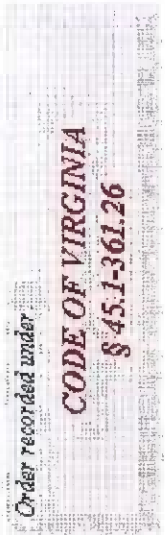
Grantee Address (Name) [DIVERSIFIED PRODUCTION LLC ]  
(Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Consideration[00.00 ] Assessed Value[00.00 ]

Prior Instr. Recorded at: City  County  Other   
Book [351 ] Page[481 ] 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 ]





**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-2768

**TRACT(S):** 003

**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-95-0321-0496-02

**APPLICANTS:** Diversified Production on behalf of Carolyn Manhattan c/o Department of Treasury, Frankie Austin c/o Department of Treasury, Glendale Day c/o Department of Treasury, Gregory Lott c/o Department of Treasury, Heirs of Burton Day c/o Department of Treasury, Heirs of Edward Delong c/o Department of Treasury, Kristen Day c/o Department of Treasury, Ricky Holley c/o Department of Treasury, Ronald Wayne Day c/o Department of Treasury, Ronnie Lott 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 04/17/1995, Recorded on 04/26/1995, Deed Book/Instrument No. 800, Page 353, County WISE.
- 2. Supplemental Order Executed 08/24/1995, Recorded on 08/29/1995, Deed Book/Instrument No. 808, Page 550, County WISE.
- 3. Supplemental Order Executed 12/14/1999, Recorded on 12/22/1999, Deed Book/Instrument No. 351, Page 481, 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) 003 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 003 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 Rickey Holley, Frankie Austin, Gregory Lott, Ronnie Lott, Carolyn Manhattan, Glendale Day, Kristin Day, Ronald Wayne Day, Heirs of Edward Delong, and Heirs of Burton Day, being Tract No. 3 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.

**RELIEF GRANTED:**

VGOB Disbursement  
Unit V-2768

VGOB-95-0321-0496-02

**Table 1**

Tracts: 003

| Item | Tract | Disbursement Table                          | Fractional Ownership | Net Acreage Ownership | Royalty Split | Escrowed Acres | Percent of Escrowed Funds | Adjustment Amount |
|------|-------|---|----------------------|-----------------------|---------------|----------------|---------------------------|-------------------|
|      |       |   | in Tract             | in Tract              | Agreement     | Disbursed      | Disbursed                 |                   |
|      |       |   |                      |                       |               |                |                           |                   |
|      |       |   |                      |                       |               |                |                           |                   |
|      |       |   |                      |                       |               |                |                           |                   |
|      |       |   |                      |                       |               |                |                           |                   |
|      |       | Total acreage in escrow before disbursement |                      |                       |               | 2.14223        |                           |                   |

10.6900

003 Tract 003 (total acreage)

|    |     |  |  |        |         |        |          |  |
|----|-----|--|--|--------|---------|--------|----------|--|
| 1  | 003 | Ricky Holley c/o Department of Treasury\Unclaimed Property Division<br>PO Box 2478, Richmond, VA 23218           |  | 0.0636 | 100.00% | 0.0636 | 2.9703%  |  |
| 2  | 003 | Frankie Austin c/o Department of Treasury\Unclaimed Property Division<br>PO Box 2478, Richmond, VA 23218         |  | 0.0636 | 100.00% | 0.0636 | 2.9703%  |  |
| 3  | 003 | Gregory Lott c/o Department of Treasury\Unclaimed Property Division<br>PO Box 2478, Richmond, VA 23218           |  | 0.0212 | 100.00% | 0.0212 | 0.9901%  |  |
| 4  | 003 | Ronnie Lott c/o Department of Treasury\Unclaimed Property Division PO<br>Box 2478, Richmond, VA 23218            |  | 0.0212 | 100.00% | 0.0212 | 0.9901%  |  |
| 5  | 003 | Carolyn Manhatten c/o Department of Treasury\Unclaimed Property<br>Division PO Box 2478, Richmond, VA 23218      |  | 0.2545 | 100.00% | 0.2545 | 11.8813% |  |
| 6  | 003 | Glendale Day c/o Department of Treasury\Unclaimed Property Division<br>PO Box 2478, Richmond, VA 23218           |  | 0.0477 | 100.00% | 0.0477 | 2.2277%  |  |
| 7  | 003 | Kristen Day c/o Department of Treasury\Unclaimed Property Division PO<br>Box 2478, Richmond, VA 23218            |  | 0.0477 | 100.00% | 0.0477 | 2.2277%  |  |
| 8  | 003 | Ronald Wayne Day c/o Department of Treasury\Unclaimed Property<br>Division PO Box 2478, Richmond, VA 23218       |  | 0.0954 | 100.00% | 0.0954 | 4.4555%  |  |
| 9  | 003 | Heirs of Edward Delong c/o Department of Treasury\Unclaimed Property<br>Division PO Box 2478, Richmond, VA 23218 |  | 0.1909 | 100.00% | 0.1909 | 8.9104%  |  |
| 10 | 003 | Heirs of Burton Day c/o Department of Treasury\Unclaimed Property<br>Division PO Box 2478, Richmond, VA 23218    |  | 1.3363 | 100.00% | 1.3363 | 62.3766% |  |

**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 29 day of June, 2020 by a majority of the Virginia Gas and Oil Board.

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 29 day of June, 2020 by Order of the Virginia Gas and Oil Board.

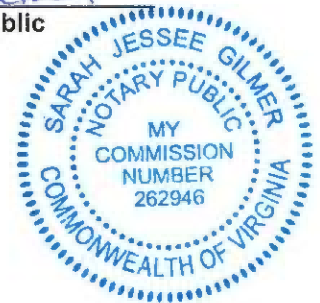
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 29<sup>th</sup> day of June, 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 95-0321-0496-02**

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 003 (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:** V-2768

**WISE COUNTY, VIRGINIA**

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

**1. Petitioner and its counsel**

Petitioner is Diversified Production, PO Box 158, Pikeville, KY 41502, 330-896-8510. 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)**

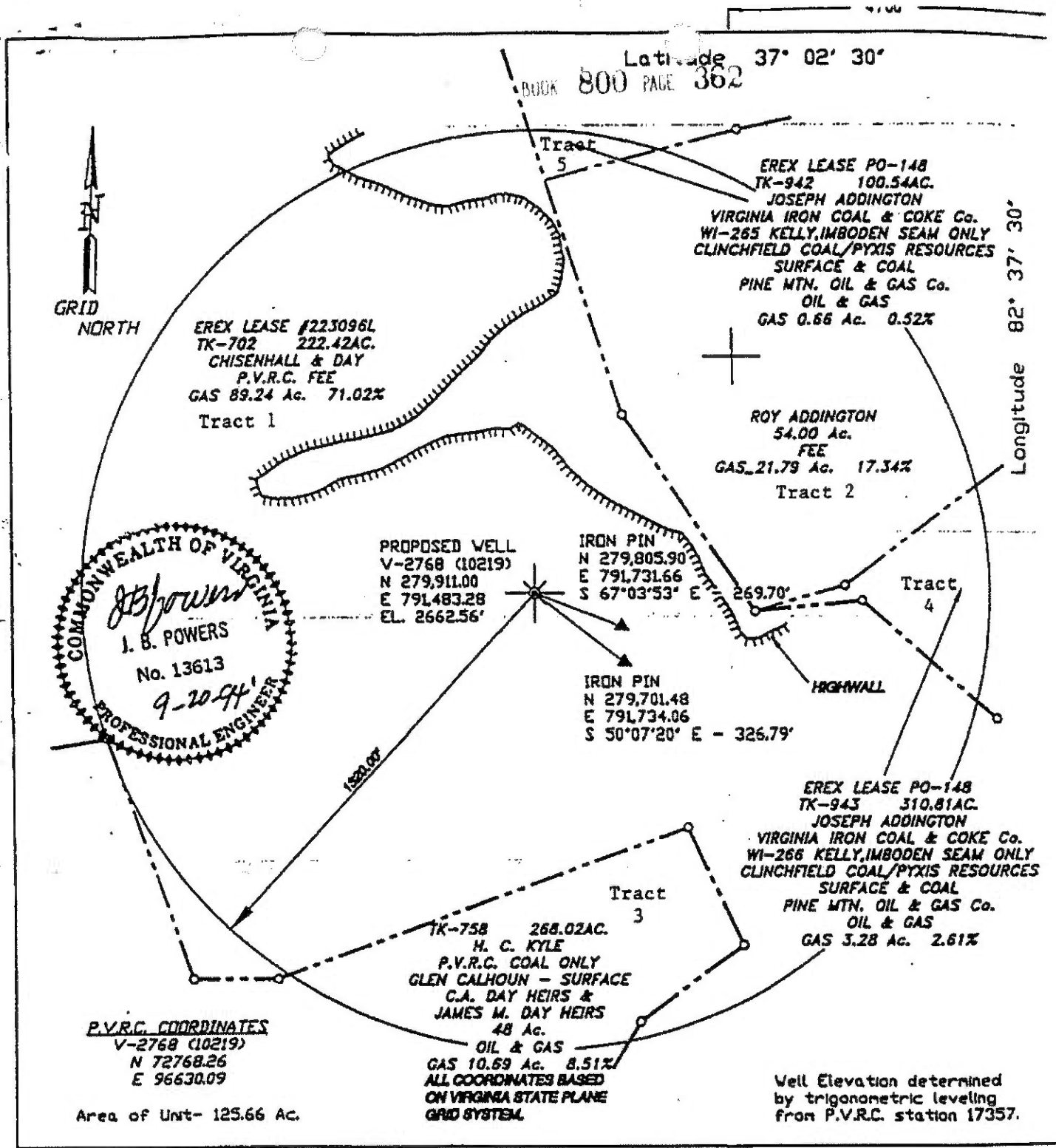
Conventional

**5. Factual basis for relief requested**

This disbursement is for the Rickey Holley, Frankie Austin, Gregory Lott, Ronnie Lott, Carolyn Manhattan, Glendale Day, Kristin Day, Ronald Wayne Day, Heirs of Edward Delong, and Heirs of Burton Day, being Tract No. 3 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.



**WELL LOCATION PLAT**

Company EQUITABLE RESOURCES EXPLORATION Well Name and Number V-2768 (10219)  
 Tract No. 702 Elevation 2662.56' Quadrangle FLAT GAP  
 County WISE District GLADEVILLE Scale: 1' = 400' Date 09/20/94  
 This plat is a new plat,  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.

**J.B. POWERS**

Licensed Professional Engineer or Licensed Land Surveyor

**Exhibit E**  
**V-2768**  
**Docket #VGOB 95-0321-0496-02**  
**List of Owners Currently Escrowed**

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

**Exhibit EE**  
**V-2768**  
**Docket #VGOB 95-0321-0496-02**  
**List of Owners - Escrow No Longer Required**

| <u>Tract</u>       | <u>Lessor</u>          | <u>Lease Status</u> | <u>Interest Within</u><br><u>Unit</u> | <u>Gross Acres in</u><br><u>Unit</u> |
|--------------------|------------------------|---------------------|---------------------------------------|--------------------------------------|
| 3<br>Minerals Only | Ricky Holley           | Unleased            | 0.06363100%                           | 0.063631                             |
|                    | Frankie Austin         | Unleased            | 0.06363100%                           | 0.063631                             |
|                    | Gregory Lott           | Unleased            | 0.02121000%                           | 0.02121                              |
|                    | Ronnie Lott            | Unleased            | 0.02121000%                           | 0.02121                              |
|                    | Carolyn Manhattan      | Unleased            | 0.25452400%                           | 0.254524                             |
|                    | Glendale Day           | Unleased            | 0.04772300%                           | 0.047723                             |
|                    | Kristin Day            | Unleased            | 0.04772300%                           | 0.047723                             |
|                    | Ronald Wayne Day       | Unleased            | 0.09544600%                           | 0.095446                             |
|                    | Heirs of Edward Delong | Unleased            | 0.19088200%                           | 0.190882                             |
|                    | Heirs of Burton Day    | Unleased            | 1.33625000%                           | 1.33625                              |
| Total Gas Estate   |                        |                     | <b>2.14223000%</b>                    | <b>2.1422</b>                        |

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