

Instrument Control Number

20200268600100

Instrument 202002686  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Jul 10, 2020 at 11:50 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 [15]  
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

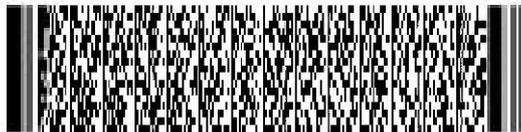
Last Name	First Name	Middle Name	Suffix
[DIVERSIFIED PRODUCTION LLC ]	[ ]	[ ]	[ ]

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 [4246 ] Page[12 ] 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-2705

**TRACT(S):** 007, 017, 026, 034, 038

**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-97-0916-0607-01

**APPLICANTS:** Diversified Production on behalf of Amy Sanders c/o Department of Treasury, Eric Robinette c/o Department of Treasury, Heirs of W.H. Ham, Mary E. and J.C. Smith c/o Department of Treasury, Heirs of Wiley Smith and E.C. Smith c/o Department of Treasury, James Melvin Hughes c/o Department of Treasury, Stella McCury c/o Department of Treasury, Toy Annette Robinette c/o Department of Treasury, Walter Robinette 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 10/10/1997, Recorded on 10/21/1997, Deed Book/Instrument No. 4246, Page 12, County WISE.
- 2. Supplemental Order Executed 12/28/1997, Recorded on 01/07/1998, Deed Book/Instrument No. 64, Page 31, 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) 007, 017, 026, 034, 038 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 007, 017, 026, 034, 038 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 Stella McCury and James Melvin Hughes, being Tract No. 7 of the above described well unit, Heirs of Wiley Smith and E.C. Smith, being Tract No. 17 of the above described well unit, Amy Sanders, being Tract No. 26 of the above described well unit, Walter Robinette, Toy Annette Robinette, Eric Robinette, being Tract No. 34 of the above described well unit, and Heirs of W.H. Ham, Mary E. and J.C. Smith, being Tract No. 38 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-2705

VGOB-97-0916-0607-01

Table 1

Tracts: 007, 017, 026, 034, 038

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		4.50990				
007 Tract 007 (total acreage)			0.9300					
1	007	Stella McCury c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0930	100.00%	0.0930	2.0621%	
2	007	James Melvin Hughes c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0930	100.00%	0.0930	2.0621%	
017 Tract 017 (total acreage)			3.9000					
1	017	Heirs of Wiley Smith and E.C. Smith c/o Department of Treasury \Unclaimed Property Division PO Box 2478, Richmond, VA 23218		3.9000	100.00%	3.9000	86.4764%	
026 Tract 026 (total acreage)			0.9600					
1	026	Amy Sanders c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0640	100.00%	0.0640	1.4191%	
034 Tract 034 (total acreage)			0.4800					
1	034	Walter Robinette c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0533	100.00%	0.0533	1.1818%	
2	034	Toy Annette Robinette c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0533	100.00%	0.0533	1.1818%	
3	034	Eric Robinette c/o Department of Treasury\Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.0533	100.00%	0.0533	1.1818%	
038 Tract 038 (total acreage)			0.2000					
1	038	Heirs of W.H. Ham, Mary E. and J.C. Smith c/o Department of Treasury \Unclaimed Property Division PO Box 2478, Richmond, VA 23218		0.2000	100.00%	0.2000	4.4347%	

**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 97-0916-0607-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 007, 017, 026, 034, 038 (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-2705

**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)**

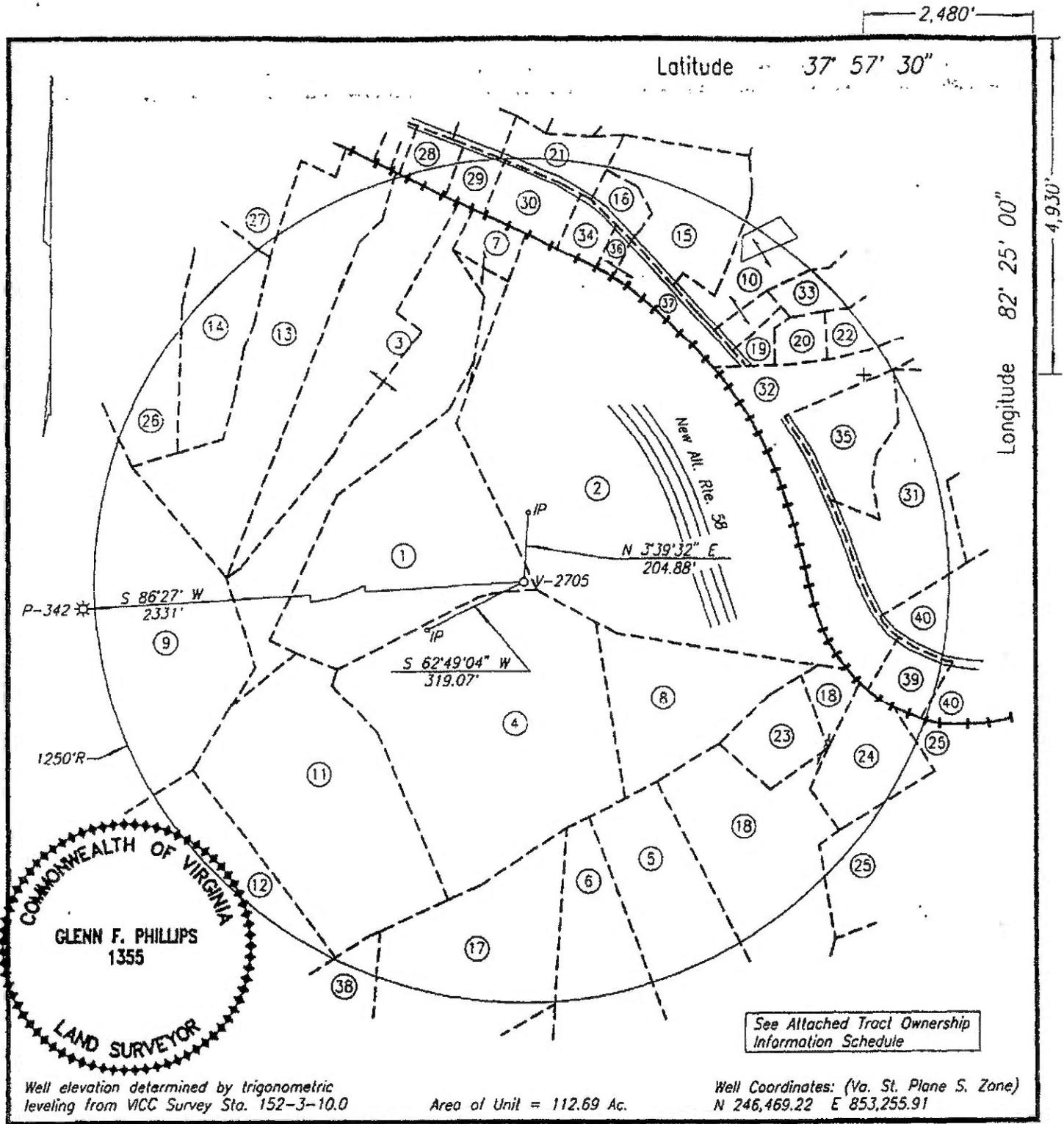
Conventional

**5. Factual basis for relief requested**

This disbursement is for the Stella McCury and James Melvin Hughes, being Tract No. 7 of the above described well unit, Heirs of Wiley Smith and E.C. Smith, being Tract No. 17 of the above described well unit, Amy Sanders, being Tract No. 26 of the above described well unit, Walter Robinette, Toy Annette Robinette, Eric Robinette, being Tract No. 34 of the above described well unit, and Heirs of W.H. Ham, Mary E. and J.C. Smith, being Tract No. 38 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 elevation determined by trigonometric leveling from VCC Survey Sta. 152-3-10.0

Area of Unit = 112.69 Ac.

Well Coordinates: (Va. St. Plane S. Zone)  
N 246,469.22 E 853,255.91

WELL LOCATION PLAT

COMPANY Equitable Resources Energy Company WELL NAME AND NUMBER V-2705  
 TRACT NO. Lse. No. 245236L ELEVATION 2322.13 QUADRANGLE Coeburn  
 COUNTY Wise DISTRICT Lipps SCALE 1" = 400' DATE 8-07-1997

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.

Glenn F. Phillips  
 Licensed Professional Engineer or Licensed Land Surveyor

**V-2705 PLAT**  
**TRACT OWNERSHIP INFORMATION SCHEDULE**

1. EREC Lease No. 245236L  
John G. Markham - surface, oil & gas  
6.0 Acres  
Clinchfield Coal Co./Pyxis Resources Co. - coal  
Gas 7.13 Ac. 6.32%
  
2. Equitable Resources Energy Co. - oil & gas  
17.5 Acres  
Commonwealth of Virginia - surface (disturbed area)  
Clinchfield Coal Co./Pyxis Resources Co. - coal  
Gas 19.11 Ac. 16.96%
  
3. EREC Lease No. 244649L  
Norma Hart & Margie Kiser - surface, oil & gas  
10.88 Acres  
Gas 9.70 AC. 8.61%
  
4. EREC Lease No. 244597L  
Brenett Markham - surface, oil & gas  
16.0 Acres  
Clinchfield Coal Co./Pyxis Resources Co. - coal  
Gas 11.24 Ac 9.98%
  
5. EREC Lease No. 242591L  
Mildred Couch - oil & gas  
6.51 Acres  
Gas 3.12 Ac. 2.77%
  
6. EREC Lease No. 242592L  
Jane Couch Harvey - oil & gas  
6.51 Acres  
Gas 2.13 Ac. 1.89%
  
7. EREC Lease No. 244647L  
Letha Roinette Estate - oil & gas  
6.5 Acres  
Gas 0.93 Ac. 0.83%
  
8. EREC Lease No. 245268L  
Linda Markham Wright - oil & gas  
4.0 Acres  
Clinchfield Coal Co./Pyxis Resources Co. - coal  
Gas 3.80 Ac. 3.37%

Page 2  
V-2705 Plat

9. Equitable Resources Energy Co. - oil & gas  
1846.0 Acres  
Clinchfield Coal Co./Pyxis Resources Co. - surface  
Gas 6.68 Ac. 5.92%
10. EREC Lease No. 223018L  
R.L. Crawford - oil & gas  
23.261 Acres  
Gas 1.45 Ac. 1.28%
11. EREC Lease No. 245271L  
Dudley Carter Riner, Sr. - surface, oil & gas  
11.0 Acres  
Gas 8.21 Ac. 7.29%
12. EREC Lease No. 245274L  
Alton Lawson, Sr., et al - surface, oil & gas  
9.5 Acres  
Gas 1.71 Ac. 1.52%
13. EREC Lease No. 244633L  
Joseph B. Powers, et al - oil & gas  
7.25 Acres  
Gas 5.57 Ac. 4.94%
14. EREC Lease No. 245270L  
Thomas L. Jackson, et ux - oil & gas  
5.0 Acres  
Gas 2.03 Ac. 1.80%
15. EREC Lease No. 244634L  
William M. Fleenor -  
3.0 Acres  
Gas 1.64 Ac. 1.45%
16. Leon & Sarah Collins - oil & gas  
0.35 Acres  
Gas 0.45 Ac. 0.40%
17. Joe Comer Estate - oil & gas  
6.0 Acres  
Gas 3.90 Ac. 3.46%

Page 3

V-2705 Plat

18. EREC Lease No. 242612L  
Frank Harold Markham - oil & gas  
6.0 Acres  
Gas 4.53 Ac. 4.02%
19. EREC Lease No. 244594L  
Henry A. Hamm - oil & gas  
0.501 Acres  
Gas 0.30 Ac. 0.27%
20. EREC Lease No. 244593L  
Dianna Holbrook - oil & gas  
0.39 Acres  
Gas 0.48 Ac 0.42%
21. EREC Lease No. 244671L  
Arnold Addington - oil & gas  
1.35 Acres  
Gas 0.38 Ac. 0.34%
22. EREC Lease No. 244610L  
Judy Hamm Kilgore - oil & gas  
0.57 Acres  
Gas 0.35 Ac. 0.31%
23. EREC Lease No. 245273L  
Shane Grover Markham - oil & gas  
1.15 Acres  
Gas 1.33 Ac. 1.18%
24. EREC Lease No. 245245L  
John Markham - oil & gas  
2.0 Acres  
Gas 1.74 Ac. 1.54%
25. EREC Lease No. 242656L  
John Clay Heirs - oil & gas  
4.1 Acres  
Gas 0.36 Ac. 0.32%
26. EREC Lease No. 245269L  
Bonita Sanders, et al - oil & gas  
5.0 Acres  
Gas 0.96 Ac. 0.85%

Page 4

V-2705 Plat

27. EREC Lease No. 244633L  
Joseph B. Powers, et al - oil & gas  
7.25 Acres  
Gas 0.03 Ac. 0.03%
28. EREC Lease No. 244668L  
Betty Hobbs - oil & gas  
1.0 Acres  
Gas 0.17 Ac. 0.15%
29. Claude Collins - oil & gas  
Gas 0.41 Ac. 0.36%
30. EREC Lease No. 244668L  
Betty Hamm Hobbs - oil & gas  
1.0 Acres  
Gas 0.97 Ac. 0.86%
31. EREC Lease No. 244609L  
Larry C. Salyers - oil & gas  
5.64 Acres  
Gas 2.71 Ac 2.41 %
32. EREC Lease No. 244557L  
Daisy Mitchell - oil & gas  
2.0 Acres  
Gas 3.80 Ac. 3.37%
33. EREC Lease No. 223020L  
Gerald T. Bates - oil & gas  
8.0 Acres  
Gas 0.41 Ac. 0.37%
34. Donald Robinette, et al -oil & gas  
0.50 Acres  
Gas 0.48 Ac. 0.43%
35. EREC Lease No. 244558L  
Ronald L. Lawson - oil & gas  
1.11 Acres  
Gas 1.80 Ac. 1.60%

Page 5

V-2705 Plat

36. EREC Lease No. 244625L  
Lester Boggs - oil & gas  
0.50 Acres  
Gas 0.18 Ac. 0.16%
37. EREC Lease No. 244625L  
Lester Boggs - oil & gas  
0.50 Acres  
Gas 0.91 Ac. 0.81%
38. Ham/Smith Heirs - oil & gas  
14.2 Acres  
Gas 0.20 Ac. 0.18%
39. EREC Lease No. 244623L  
Geo. Robinette Heirs - oil & gas  
0.625 Acres  
Gas 0.73 Ac. 0.64%
40. EREC Lease No. 244624L  
Gerfus Addington - oil & gas  
7.44 Acres  
Gas 0.66 Ac. 0.59%

**Exhibit E**  
**V-2705**  
**Docket #VGOB 97-0916-0607-01**  
**List of Owners Currently Escrowed**

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

**Exhibit EE**  
**V-2705**  
**Docket #VGOB 97-0916-0607-01**  
**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>
7 Minerals Only	Stella McCury (Unknown/Unlocatable)	Unleased	0.08300000%	0.0930
	James Melvin Hughes (Unknown/Unlocatable)	Unleased	0.08300000%	0.0930
		<b>Tract 7 Total</b>	<b>0.16600000%</b>	<b>0.1860</b>
17 Minerals Only	Heirs of Wiley Smith and E.C. Smith (Unknown/Unlocatable)	Unleased	3.46000000%	3.9000
		<b>Tract 17 Total</b>	<b>3.46000000%</b>	<b>3.9000</b>
26 Minerals Only	Amy Sanders (Unknown/Unlocatable)	Unleased	0.05666700%	0.064
		<b>Tract 26 Total</b>	<b>0.05666700%</b>	<b>0.064</b>
34 Minerals Only	Walter Robinette (Unknown/Unlocatable)	Unleased	0.04777800%	0.0533
	Toy Annette Robinette (Unknown/Unlocatable)	Unleased	0.04777800%	0.0533
	Eric Robinette (Unknown/Unlocatable)	Unleased	0.04777800%	0.0533
		<b>Tract 34 Total</b>	<b>0.14333400%</b>	<b>0.1599</b>
38 Minerals Only	Heirs of W.H. Ham, Mary E. and I.C. Smith (Unknown/Unlocatable)	Unleased	0.18000000%	0.2
		<b>Tract 38 Total</b>	<b>0.18000000%</b>	<b>0.2</b>
	<b>Total Gas Estate</b>		<b>4.00600100%</b>	<b>4.5099</b>

Instrument 202002686  
Recorded in the Clerk s Office of  
Wise County and the City of Norton  
On Jul 10, 2020 at 11:50 AM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy