

Instrument Control Number

20200210000100

Instrument 202002100  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Jun 01, 2020 at 11:37 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 [13]  
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 ] | [ ]        | [ ]         | [ ]    |

Grantee Address (Name) [DIVERSIFIED PRODUCTION ]  
(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 ]





**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:** V4337

**TRACT(S):** 001

**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-99-1019-0761-01

**APPLICANTS:** Diversified Production on behalf of Frankie Austin c/o Department of Treasury. Gregory Lott c/o Department of Treasury, Heirs of Edward Delong, Ronald Wayne Day

**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 11/29/1999, Recorded on 12/07/1999, Deed Book/Instrument No. 48, County WISE.
- 2. Supplemental Order Executed 03/15/2000, Recorded on 03/23/2000, Deed Book/Instrument No. 1123, Page 43, 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) 001 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 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:

This disbursement is for Frankie Austin, Gregory Lott, Ronald Wayne Day, and the Heirs of Edward Delong, being Tract No. 1 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 27 day of May, 2020 by a majority of the Virginia Gas and Oil Board.

*Bradley C. Lambert*

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 27 day of May, 2020 by Order of the Virginia Gas and Oil Board.

*Rick Cooper*

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 27<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*  
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 99-1019-0761-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 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:** V4337

**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 Frankie Austin, Gregory Lott, Ronald Wayne Day, and the Heirs of Edward Delong, being Tract No. 1 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.

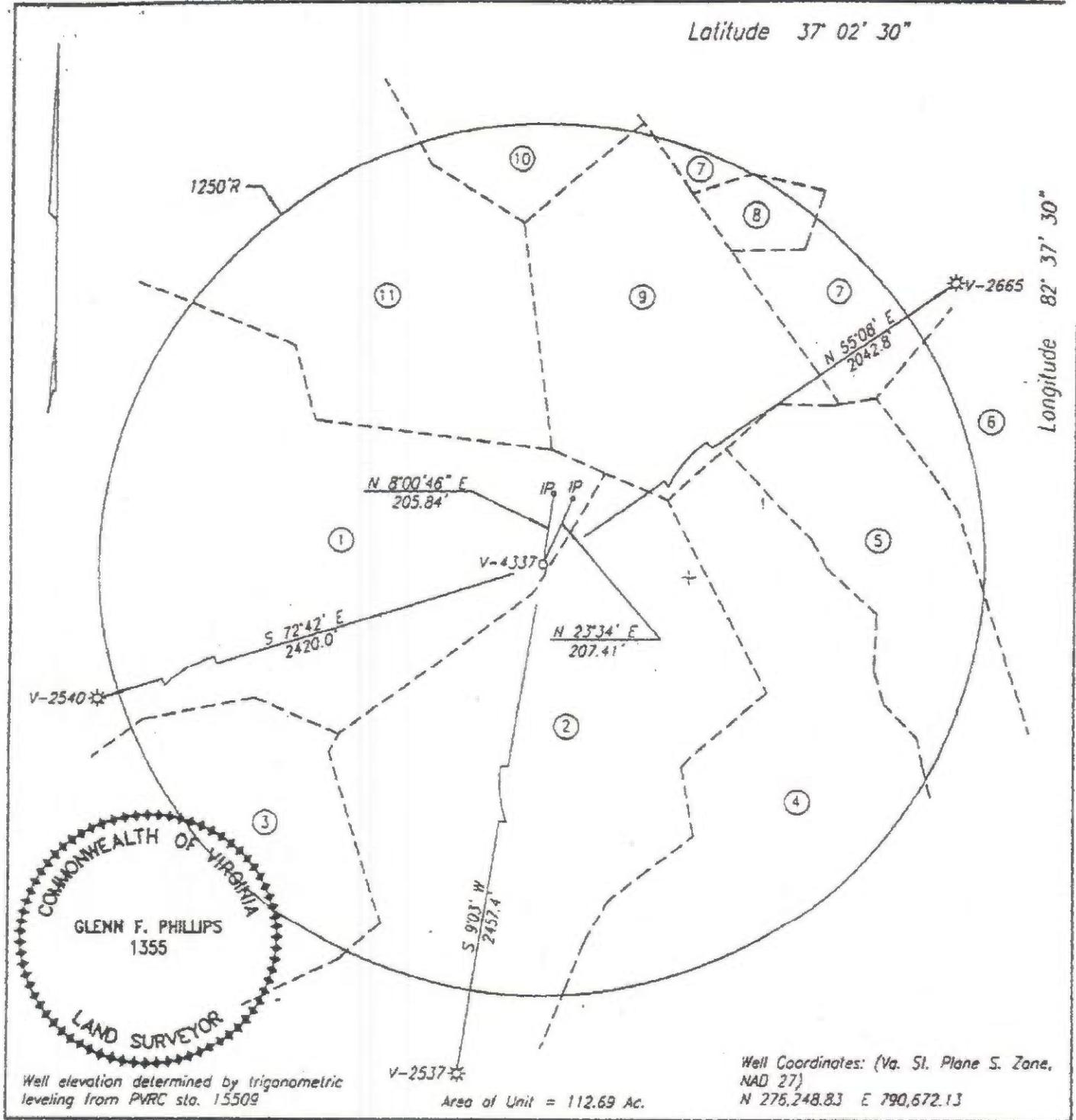
**6. Attestation**

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

000059 DEC-7 8  
5,420

Latitude 37° 02' 30"

Longitude 82° 37' 30"



COMMONWEALTH OF VIRGINIA  
 GLENN F. PHILLIPS  
 1355  
 LAND SURVEYOR

Well elevation determined by trigonometric leveling from PVRC sta. 15509

V-2537

Area of Unit = 112.69 Ac.

Well Coordinates: (Va. Sl. Plane S. Zone, NAD 27)  
 N 275,248.83 E 790,672.13

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER V-4337  
 TRACT NO. Is. No. 2448211 ELEVATION 2544.94 QUADRANGLE Flat Gap  
 COUNTY Wise DISTRICT Roberson SCALE 1" = 400' DATE 9-09-1999

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.

*Glenn F. Phillips*

Licensed Professional Engineer or Licensed Land Surveyor



000061 DEC-7 2014

**V-4337PLAT**  
**TRACT OWNERSHIP INFORMATION SCHEDULE**

- 1 . Lease No. 244821L  
 C. A. Day Heirs - oil & gas  
 60 Acres  
 Penn Virginia Coal Company - surface & coal (except Dorchester Seam and above)  
 Delta Resources, Inc. - coal (Dorchester Seam and above)  
 Gas 24.64 ac. 21.86%
  
- 2 . Lease No. 223096L / Tk. 775  
 Penn Virginia Oil & Gas Corporation - oil & gas  
 33.79 Acres  
 Coastal Coal Company, LLC - surface & coal (WI-78)  
 Gas 24.16 ac. 21.44%
  
- 3 . Lease No. 223096L / Tk. 732  
 Penn Virginia Oil & Gas Corporation - oil & gas  
 J. R. Wampler  
 93.90 Acres  
 Gas 6.54 ac. 5.81%
  
- 4 . Lease No. 245086L  
 Walter Bentley, et al - oil & gas  
 Coastal Coal Company, LLC - coal (WI-78)  
 Gas 15.66 ac. 13.90%
  
- 5 . Lease No. 244508L  
 Fred & Hazel Kilgore - oil & gas  
 Glenn & Rita Kilgore - oil & gas  
 10.50 Acres  
 Gas 8.25 ac. 7.32%
  
- 6 . Lease No. 223010L  
 Coastal Coal Company, LLC - oil & gas (WI -78)  
 J. L. Mullins  
 18.4 Acres  
 Gas 1.73 ac. 1.54%
  
- 7 . Lease No. 244506L  
 Kenneth Calhoun - oil & gas  
 25.166 Acres  
 Gas 3.70 ac. 3.28%
  
- 8 . Russell & Deborah Skorupa - oil & gas  
 1.79 Acres  
 Gas 1.09 ac. 0.96%

000062 DEC-7 8

Page 2

Tract Owner. Info. V-4337

- 9 . Lease No. 244724L  
Ronald & Betty Guibord - oil & gas  
12.1 Acres  
Penn Virginia Coal Company - coal (except Dorchester Seam and above)  
Delta Resources, Inc. - coal (Dorchester Seam and above)  
Gas 12.26 ac. 10.88%
  
- 10 . Lease No. 244507L  
Carl & Louise Stidham - oil & gas  
32.06 Acres  
Gas 2.07 ac. 1.84%
  
- 11 . Lease No. 244976L  
Charles R. Welch, et ux - oil & gas  
12.554 Acres  
Penn Virginia Coal Company - coal (except Dorchester Seam and above)  
Delta Resources, Inc. - coal (Dorchester Seam and above)  
Gas 12.59 ac. 11.17%

**Exhibit E**  
**V4337**  
**Docket #VGOB 99-1019-0761-01**  
**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**  
**V4337**  
**Docket #VGOB 99-1019-0761-01**  
**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> |
|--------------------|--|---------------------|-----------------------------|----------------------------|
| 1<br>Minerals Only | Frankie Austin<br>(Unknown/Unlocateable) | Unleased            | 0.26023800%                 | 0.2933                     |
|                    | Gregory Lott<br>(Unknown/Unlocateable)   | Unleased            | 0.08674600%                 | 0.0978                     |
|                    | Ronald Wayne Day                         | Unleased            | 0.39035700%                 | 0.44                       |
|                    | Heirs of Edward Delong                   | Unleased            | 0.78071400%                 | 0.88                       |
|                    | <b>Total Gas Estate</b>                  |                     | <b>1.51805500%</b>          | <b>1.7111</b>              |

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