

Instrument Control Number

20200199300100

Instrument 202001993  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On May 22, 2020 at 09:27 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 [18]  
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 [ ] Page [ ] Instr. No. [000000000 ]  
Parcel Identification no. {PIN} [000000 ]  
Short Property Description [SEE DOCUMENT ]  
Current Property Address (Address1) [P. O. BOX 0000 ]  
(Address2) [ ]  
(City, State, Zip) [WISE ] [VA ] [24293 ]

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:** V503809

**TRACT(S):** 017, 037, 043

**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-04-0420-1271-01

**APPLICANTS:** Diversified Production on behalf of Alvin J. Kiss and Mary Clement Kiss, c/o Department of Treasury, P.M. Alder and Okla F. Alder, c/o Department of Treasury, Trustees of the Kilgore Cemetery 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 12/10/2004, Recorded on 12/15/2004, Deed Book/Instrument No. 200405722, Page 26, County WISE.
- 2. Supplemental Order, Recorded on 1/30/2006, Deed Book/Instrument No. 94, 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) 017, 037, 043 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 017, 037, 043 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 Trustees of the Kilgore Cemetery, being Tract No. 17 of the above described well unit, Alvin J. Kiss, being Tract No. 37 of the above described well unit, and P.M. Alder and Okla F. Alder, being Tract No. 43 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 21 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 21 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 21<sup>st</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 04-0420-1271-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 017, 037, 043 (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:** V503809

**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 Trustees of the Kilgore Cemetery, being Tract No. 17 of the above described well unit, Alvin J. Kiss, being Tract No. 37 of the above described well unit, and P.M. Alder and Okla F. Alder, being Tract No. 43 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.



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V- 503809

## TRACT OWNERSHIP INFORMATION SCHEDULE

- 1 Lease No. 904782  
14.15 Acres  
Guy Fatony Jr.- Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 12.61 Ac. 11.19%
  
- 2 Lease No. 241640L / T2-251  
127.00 Acres  
Heartwood Forestland Fund IV, L.P. - Surface  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Pine Mountain Oil & Gas - Oil & Gas  
Gas 31.38 Ac. 27.85%
  
- 3 Lease No. 244763L  
Carl Edward Blackburn - Surface, Oil & Gas  
P/O of 23.6467 Acres  
Gas 1.70 Ac. 1.51%
  
- 4 Lease No. 244763L  
Carl Edward Blackburn - Surface, Oil & Gas  
P/O of 23.6467 Acres  
Gas 0.39 Ac. 0.35%
  
- 5 Lease No.  
Danny Wayne Hileman - Surface, Oil & Gas  
0.741 Acres  
Gas 0.82 Ac. 0.73%
  
- 6 Lease No. 905042  
Betty Jo & Emory B. Odle - Oil & Gas  
2.22 Acres  
Gas 1.91 Ac. 1.69%

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- 7 Lease No. 905042  
Betty Jo & Emory B. Odle - Oil & Gas  
0.35 Acres  
Gas 0.03 Ac. 0.03%
- 8 Lease No.  
Trustees of Faith Missionary Baptist Church - Surface, Oil & Gas  
1.50 Acres  
Gas 0.89 Ac. 0.79%
- 9 Lease No.  
Alice Lucinda Teasley - Surface, Oil & Gas  
1.00 Acres  
Gas 0.67 Ac. 0.59%
- 10 Lease No.  
Danny E. Brooks, et ux - Surface, Oil & Gas  
0.50 Acres  
Gas 0.93 Ac. 0.83%
- 11 Lease No. 905056  
Rudy Garland Holbrook, et ux - Surface, Oil & Gas  
1.50 Acres  
Gas 1.64 Ac. 1.46%
- 12 Lease No. 905059  
Judy Adkins Holbrook, Remainder - Eva Evelyn Bryant Adkins Life Estate - Oil & Gas  
1.74 Acres  
Gas 1.31 Ac. 1.16%
- 13 Lease No. 905059  
Judy Adkins Holbrook, Remainder - Eva Evelyn Bryant Adkins Life Estate - Oil & Gas  
2.79 Acres  
Gas 0.82 Ac. 0.73%
- 14 Lease No. 905021  
Jerome H. Couch - Surface, Oil & Gas  
0.5 Acres  
Gas 0.45 Ac. 0.40%

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- 15 Lease No.  
Hugh Latham I.O.O.F. Lodge No. 107 - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 0.54 Ac. 0.48%
- 16 Lease No.  
Daniel Ringley, et al - Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
0.01 Acres  
Gas 0.01 Ac. 0.01%
- 17 Lease No.  
Trustees of the Kilgore Cemetery - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 1.24 Ac. 1.10%
- 18 Lease No. 905133  
Delbert Lee Skeens, et al - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
0.01 Acres  
Gas 0.01 Ac. 0.01%
- 19 Lease No.  
Jerry S. Lawson, et ux - Surface, Oil & Gas  
0.2758 Acres  
Gas 0.42 Ac. 0.37%
- 20 Lease No. 905059  
Judy Adkins Holbrook, Remainder - Evelyn Adkins Life Estate - Surface, Oil & Gas  
0.50 Acres  
Gas 0.79 Ac. 0.70%

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- 21 Lease No. 905022  
Guy Fatony Jr, et al - Oil & Gas  
1.42 Acres  
Gas 1.14 Ac. 1.01%
- 22 Lease No. 905153  
James M. Garvie, et ux - Surface, Oil & Gas  
0.2595 Acres  
Gas 0.46 Ac. 0.41%
- 23 Lease No.  
James Slaughter, et ux - Surface, Oil & Gas  
0.2637 Acres  
Gas 0.42 Ac. 0.37%
- 24 Lease No.  
Pepsi Bottling Co. of Norton, Virginia - Surface, Oil & Gas  
0.86 Acres  
Gas 0.86 Ac. 0.76%
- 25 Lease No.  
Rebecca D. Hensley & Misty R. Hensley - Surface, Oil & Gas  
P/O 4.66 Acres  
Gas 4.06 Ac. 3.60%
- 26 Lease No. 905197  
Roberta Kay H. Duncan, et al - Surface, Oil & Gas  
P/O 4.66 Acres  
Gas 2.24 Ac. 1.99%
- 27 Lease No. 243323L  
Alton P. Lawson, et al - Oil & Gas  
1.85 Acres  
Gas 0.02 Ac. 0.02%
- 28 Lease No. 905007  
Joyce K. Bates - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 0.35 Ac. 0.31%

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- 29 Lease No.  
Pepsi Bottling Co. of Norton, Virginia - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
Gas 0.06 Ac. 0.05%
- 30 Lease No.  
William A. Odle, et ux - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
4.0 Acres  
Gas 2.74 Ac. 2.43%
- 31 Lease No. 905061  
Julia Elaine Adkins Herlinger, et al - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
2 Acres  
Gas 0.99 Ac. 0.88%
- 32 Lease No.  
William A. Odle, et ux - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
4.0 Acres  
Gas 4.72 Ac. 4.19%
- 33 Lease No. 905004  
Larry Christensen, et ux - Surface, Oil & Gas  
0.52 Acres  
Gas 0.51 Ac. 0.45%
- 34 Lease No.  
C. P. Edwards, et ux - Surface, Oil & Gas  
0.50 Acres  
Gas 0.48 Ac. 0.43%

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- 35 Lease No.  
William A. Odle, et ux - Surface, Oil & Gas  
1.0 Acres  
Gas 0.86 Ac. 0.76%
- 36 Lease No. 905062  
Town of Coeburn, Virginia - Surface, Oil & Gas  
1.0 Acres  
Gas 3.01 Ac. 2.67%
- 37 Lease No.  
Alvin J. Kiss, et ux - Oil & Gas  
3.89 Acres  
Gas 0.20 Ac. 0.18%
- 38 Lease No. 905134  
Danny L. Robinette, et ux - Oil & Gas  
1.05 Acres  
Gas 0.78 Ac. 0.69%
- 39 Lease No. 905134  
Danny L. Robinette, et ux - Oil & Gas  
0.818 Acres  
Gas 0.65 Ac. 0.58%
- 40 Lease No. 905199  
Clyde David Johnson, et ux - Oil & Gas  
1.22 Acres  
Gas 0.02 Ac. 0.02%
- 41 Lease No.  
Cathy Diane Duval - Surface, Oil & Gas  
1.47 Acres  
Gas 0.91 Ac. 0.81%
- 42 Lease No.  
Grover C. Mutter, et ux - Surface, Oil & Gas  
1.0 Acres  
Gas 0.55 Ac. 0.49%

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- 43 Lease No.  
P.M. Alder, et ux - Oil & Gas  
5.0 Acres  
Gas 7.77 Ac. 6.89%
- 44 Lease No.  
Dorothy R. Stone, et al - Surface, Oil & Gas  
1.23 Acres  
Gas 0.05 Ac. 0.04%
- 45 Lease No.  
Grover Mutter, et ux - Surface, Oil & Gas  
1.875 Acres  
Gas 0.11 Ac. 0.10%
- 46 Lease No.  
Grover Mutter, et ux - Surface, Oil & Gas  
2.125 Acres  
Gas 1.07 Ac. 0.95%
- 47 Lease No. 905091  
Dolly V. Noonchester, et al - Surface, Oil & Gas  
1.0 Acres  
Gas 0.39 Ac. 0.35%
- 48 Lease No. 905091  
Dolly V. Noonchester, et al - Surface, Oil & Gas 1/2 Int.  
1.0 Acres  
Gas 0.24 Ac. 0.21%
- 49 Lease No.  
Clement Younce - Surface, Oil & Gas  
2.2 Acres  
Gas 0.01 Ac. 0.01%
- 50 Lease No. 905009  
William M. Younce, et ux - Surface, Oil & Gas  
8.4 Acres  
Gas 3.44 Ac. 3.05%
- 51 Lease No. 905009  
William M. Younce, et ux - Surface, Oil & Gas  
18.2 Acres  
Gas 6.45 Ac. 5.72%

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- 52 Lease No. 905009  
William M. Younce, et ux - Surface, Oil & Gas  
ACIN LLC - coal  
Alpha Land & Natural Reserves LLC - coal lessee  
WBRD LLC - coal  
Dickenson-Russell Coal Company LLC - coal lessee  
36.2 Acres  
Gas 8.18 Ac. 7.26%
- 53 Lease No. 905119  
Roy & Janice Boatright - Oil & Gas  
4.4 Acres  
Gas 0.13 Ac. 0.12%
- 54 Lease No.  
Donald Tucker, Jr. & Lila Tucker - Oil & Gas  
1 Acres  
Gas 0.26 Ac. 0.22%

Exhibit E  
V503809  
Docket #VGOB 04-0420-1271-01  
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>
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Escrowing No Longer Required

**Exhibit EE  
V503809  
Docket #VGOB 04-0420-1271-01  
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>
17 Tax ID 0200870	Trustees of the Kilgore Cemetery (Unknown/Unlocateable)	Unleased	1.10000000%	1.24
37 Minerals Only	Alvin J. Kiss and Mary Clement Kis (Unknown/Unlocateable)	Unleased	0.18000000%	0.2
43 Minerals Only	P.M. Alder and Okla F. Alder (Unknown/Unlocateable)	Unleased	6.90000000%	7.77
	<b>Total Gas Estate</b>		<b>8.18000000%</b>	<b>9.2100</b>

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Recorded in the Clerk s Office of  
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On May 22, 2020 at 09:27 AM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: mary hagy