

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: V536782

TRACT(S): 010

LOCATION: DICKENSON 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-06-0321-1606-01

APPLICANTS:

Diversified Production on behalf of Heirs of Earl Rose c/o Department of Treasury, James D. Rose and Hazel Rose c/o Department of Treasury, Lois Rose c/o Department of Treasury, Marland J. Rose and Patsy Rose c/o Department of Treasury, Virginia Annette Rose 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 04/18/2006, Recorded on 04/25/2006, Deed Book/Instrument No. 424, Page 575, County DICKENSON.
2. Supplemental Order, Recorded on 11/30/2006, Deed Book/Instrument No. 432, Page 346, County DICKENSON.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 010 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 010 relative to the interests of the Applicants identified in the attached petition.
- (3) Continue 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 James D. Rose and Hazel Rose, Marland J. Rose, Heirs of Earl Rose, Lois Rose, and Virginia Annette Rose, being Tract No. 10 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 continue 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.

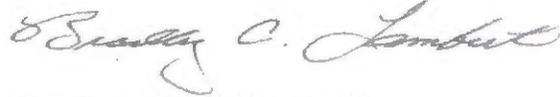
CONCLUSION:

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



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 13 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

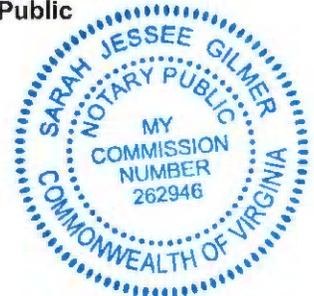
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 13th 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 06-0321-1606-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 010 (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: V536782

DICKENSON 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 James D. Rose and Hazel Rose, Marland J. Rose, Heirs of Earl Rose, Lois Rose, and Virginia Annette Rose, being Tract No. 10 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.

TOTAL UNIT AREA = 112.69 ACRES

LATITUDE 37°05'00"

--- DENOTES COAL TRACT
- - - DENOTES SURFACE LINE
- - - DENOTES SURFACE & MINERAL TRACT

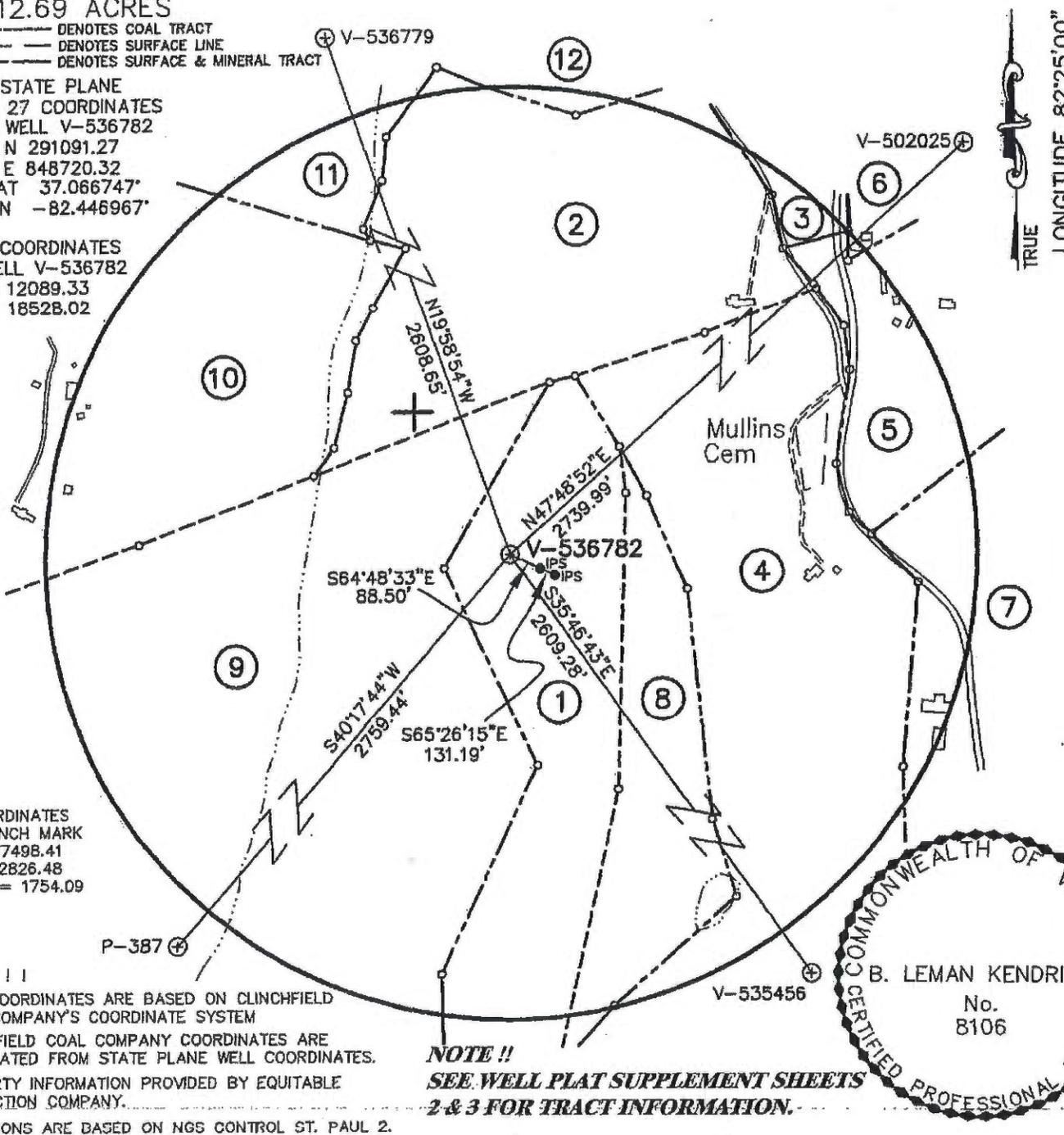
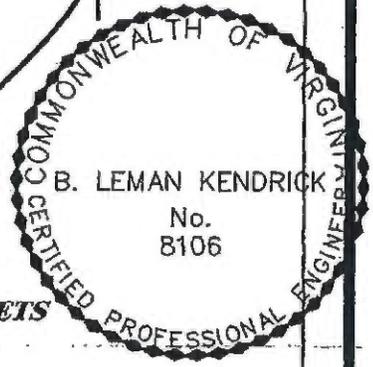
STATE PLANE
NAD 27 COORDINATES
OF WELL V-536782
N 291091.27
E 848720.32
LAT 37.066747°
LON -82.446967°

CCC COORDINATES
OF WELL V-536782
S 12089.33
W 18528.02

COORDINATES
OF BENCH MARK
S 77498.41
E 22826.48
ELEV. = 1754.09

NOTE !!!
WELL COORDINATES ARE BASED ON CLINCHFIELD
COAL COMPANY'S COORDINATE SYSTEM
CLINCHFIELD COAL COMPANY COORDINATES ARE
CALCULATED FROM STATE PLANE WELL COORDINATES.
PROPERTY INFORMATION PROVIDED BY EQUITABLE
PRODUCTION COMPANY.
ELEVATIONS ARE BASED ON NGS CONTROL ST. PAUL 2.

NOTE !!
SEE WELL PLAT SUPPLEMENT SHEETS
2 & 3 FOR TRACT INFORMATION.



WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER V-536782
TRACT No. LEASE NO. 904576L ELEVATION 2236.16 (GPS) QUADRANGLE CANEY RIDGE
COUNTY DICKENSON DISTRICT KENADY SCALE: 1" = 400' DATE FEBRUARY 13, 2006
THIS PLAT IS A NEW PLAT ; AN UPDATED PLAT x; OR A FINAL LOCATION PLAT
PROPOSED TOTAL DEPTH OF WELL =

+ 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.

B. L. Kendrick 2/13/06 (AFFIX SEAL)
LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

X:\2006 PROJECT DESIGN\8184-11 v-536782.dwg\8184 PLAT REV.dwg

1

LEASE No. 904576L
P.H. KENNEDY / DI-18
15.15 ACRES
ACIN, LLC - surface, coal, oil & gas
GAS 12.76 AC. 11.32%

2

LEASE No. 906298
CARNELL & JANE SALYERS
20.20 ACRES
A.A. KENNEDY / DI-21
ACIN, LLC - coal
CARNELL & JANE SALYERS. - surface, oil & gas
GAS 18.05 AC. 18.02%

3

LEASED
DAVID L. & KIMBERLY D. PROULEX
6.41 ACRES
A.A. KENNEDY / DI-21
ACIN, LLC - coal
DAVID L. & KIMBERLY D. PROULEX - surface, oil & gas
GAS 0.58 AC. 0.51%

4

LEASE No. 905058
CAROLYN S. ROSE
62.00 ACRES
A.A. KENNEDY / DI-21
F.T. KENNEDY / DI-16 & DI-17
ACIN, LLC - coal
CAROLYN S. ROSE - surface, oil & gas
GAS 20.60 AC. 18.28%

5

UNLEASED
HOWARD L. ESTEP
13.84 ACRES
W.E. ROSE / DI-37
F.T. KENNEDY / DI-16 & DI-17
A.A. KENNEDY / DI-21
ACIN, LLC - coal
HOWARD L. ESTEP - surface, oil & gas
GAS 4.18 AC. 3.71%

6

UNLEASED
VERNA LEA SMITH
2.50 ACRES
W.E. ROSE / DI-37
ACIN, LLC - coal
VERNA LEA SMITH - surface, oil & gas
GAS 0.06 AC. 0.06%

7

UNLEASED
WILLIAM D. & BARBARA VICARS
8.00 ACRES
F.T. KENNEDY / DI-16
ACIN, LLC - coal
WILLIAM D. & BARBARA VICARS - surface, oil & gas
GAS 2.82 AC. 2.50%

8

LEASE No. 904576L
F.T. KENNEDY - DI-16
220.130 ACRES
ACIN, LLC - surface, coal, oil & gas
GAS 7.08 AC. 6.28%

9

LEASE No. 241493L
STEINMAN DEVELOPMENT CO.
1880.00 ACRES
STEINMAN DEVELOPMENT CO. - surface, coal, oil & gas
GAS 30.98 AC. 27.49%

10

UNLEASED
TIVIS ROSE ESTATE
15.00 ACRES
P.H. KENNEDY / DI-24
A.A. KENNEDY / DI-21
ACIN, LLC - coal
TIVIS ROSE ESTATE - surface, oil & gas
GAS 13.25 AC. 11.76%

11

LEASED
THEODORE GRAY & CASSIE EDWARDS
29.80 ACRES
A.A. KENNEDY / DI-21
ACIN, LLC - coal
THEODORE GRAY & CASSIE EDWARDS - surface, oil & gas
GAS 2.04 AC. 1.81%

12

LEASED
JENNIFER S. EDWARDS
6.20 ACRES
A.A. KENNEDY / DI-21
ACIN, LLC - coal
JENNIFER S. EDWARDS - surface, oil & gas
GAS 0.29 AC. 0.26%



THOMPSON & LITTON

40 Main Street
P.O. Box 1869
Clintwood, Virginia 24228

EQUITABLE PRODUCTION COMPANY
WELL No. V-536782
WELL PLAT SUPPLEMENT
SHEET 2

PROJECT No.:	8184 PLAT
SCALE:	1" = 400'
DATE:	FEBRUARY 13, 2006

Exhibit E
V536782
Docket #VGOB 06-0321-1606-01
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
V536782
Docket #VGOB 06-0321-1606-01
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>
10 Tax ID 10962	James D. Rose and Hazel Rose (Unknown/Unlocateable)	Unleased	1.470000%	1.6563
	Marland J. Rose and Patsy Rose (Unknown/Unlocateable)	Unleased	1.470000%	1.6563
	Heirs of Earl Rose (Unknown/Unlocateable)	Unleased	1.470000%	1.6563
	Lois Rose (Unknown/Unlocateable)	Unleased	1.470000%	1.6563
	Virginia Annette Rose (Unknown/Unlocateable)	Unleased	1.470000%	1.6563
	Total Gas Estate		7.35000000%	8.2815

INSTRUMENT 200000535
RECORDED IN THE CLERK'S OFFICE OF
DICKENSON CIRCUIT COURT ON
JUNE 15, 2020 AT 03:16 PM
RICHARD W. EDWARDS, CLERK
RECORDED BY: CJB