

Instrument Control Number

20160326300100

## Commonwealth of Virginia

Land Record Instrument

Cover Sheet-Form A

Instrument 201603263  
Recorded in the Clerk's Office of  
Wise County and the City of Norton  
On Jul 11, 2016 at 01:43 PM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: April Huff  
(Box For Deed Stamp Only)

[efileCX mxCourt 1.0]

Instrument Type: [ODU ]  
Number of Parcels [1]  
Number of Pages [12]  
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 |
|---------------------------|------------|-------------|--------|
| [EQT PRODUCTION COMPANY ] | [ ]        | [ ]         | [ ]    |

Grantee Address (Name) [EQT PRODUCTION COMPANY ]  
(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.[000000000 ]

Parcel Identification no. {PIN} [000000 ]

Short Property Description [DISBURSEMENT FROM UNIT VC-537150, LOCATED IN THE COEBURN

Current Property Address (Address1) QUADRANGLE, LIPPS MAGISTERIAL DISTRICT, WISE COUNTY,  
(Address2) VIRGINIA. ]  
(City, State, Zip) [P. O. BOX 0000 ]

[ ]  
[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 ]



*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:** VC-537150

**TRACT(S):** A portion of 2, 999

**LOCATION:** WISE County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit B

**DOCKET NUMBER:** VGOB-07-0220-1888-01

**APPLICANTS:** EQT Production Company on behalf of Andrew Naudzunus, I, Fred & Judy Wright, Johnny Wayne & Jody Weaver

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
June 21, 2016

**APPEARANCES:** James Kaiser on behalf of EQT Production Company

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 08/21/2007, Recorded on 08/22/2007, Deed Book/Instrument No. 2000703557, Page 135.
2. Supplemental Order, Recorded on 12/02/2009, Deed Book/Instrument No. 200903984, Page 0074.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the June 21, 2016 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) A portion of 2, 999 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 2, 999 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:

Pursuant to House Bill 2058, petition for release of escrowed funds on behalf of all known gas owners on Tract 2 of Well # VC-537150, VGOB 07/02/20/1888 as identified on the attached Exhibit EE and petition for direct payment to EQT for overpayment due to too much interest attributed to the escrow payments.



VGOB Disbursement  
Unit VC-537150  
  
VGOB-07-0220-1888-01

Table 2 (pay percentage on balance after deducting the above balance)  
Tracts: A portion of 2, 999

| Item                      | Tract | Disbursement Table                                                    | Fractional Ownership |  | Net Acreage Ownership |  | Royalty Split |  | Escrowed Acres |  | Percent of Escrowed Funds Disbursed |  | Adjustment Amount |  |
|---------------------------|-------|-----------------------------------------------------------------------|----------------------|--|-----------------------|--|---------------|--|----------------|--|-------------------------------------|--|-------------------|--|
|                           |       |                                                                       | in Tract             |  | in Tract              |  | Agreement     |  | Disbursed      |  | Disbursed                           |  |                   |  |
|                           |       |                                                                       |                      |  |                       |  |               |  |                |  |                                     |  |                   |  |
|                           |       | Total acreage in escrow before disbursement                           |                      |  |                       |  |               |  | 0.42820        |  |                                     |  |                   |  |
|                           |       |                                                                       |                      |  |                       |  |               |  |                |  |                                     |  |                   |  |
| 2 Tract 2 (total acreage) |       |                                                                       | 8.3900               |  |                       |  |               |  |                |  |                                     |  |                   |  |
| 1                         | 2     | Fred & Judy Wright\74 Spring Valley Road                              |                      |  | 0.0699                |  | 100.00%       |  | 0.0699         |  | 16.3241%                            |  |                   |  |
| 2                         | 2     | Johnny Wayne & Jody Weaver\15315 Georgia Hwy 315, Ellerslie, GA 31807 |                      |  | 0.0262                |  | 100.00%       |  | 0.0262         |  | 6.1186%                             |  |                   |  |
| 3                         | 2     | Andrew Naudzunus, 1\32 Providence Hill Rd., Atkinson, NH 03811        |                      |  | 0.0262                |  | 100.00%       |  | 0.0262         |  | 6.1186%                             |  |                   |  |

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 and 2.
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 27 day of June, 2016 by a majority of the Virginia Gas and Oil Board,



Chairman, Bradley C. Lambert

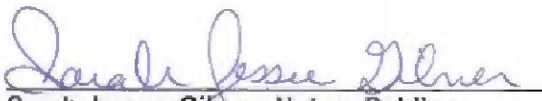
DONE AND PERFORMED this 27 day of June, 2016 by Order of the Virginia Gas and Oil Board.



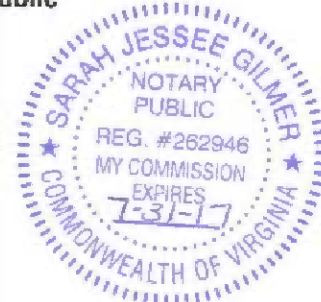
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 27<sup>th</sup> day of June, 2016, 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, 2017



**BEFORE THE VIRGINIA GAS AND OIL BOARD****PETITIONER:** EQT Production Company**DIVISION OF GAS AND OIL****DOCKET NO:** VGOB 07-0220-1888-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 2, 999 (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.**

**HEARING DATE:** June 21, 2016**DRILLING UNIT:** VC-537150**WISE COUNTY, VIRGINIA****PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS****1. Petitioner and its counsel**

Petitioner is EQT Production Company, 625 Liberty Avenue, EQT Plaza, Suite 1700, Pittsburgh, PA 15222, 412-385-3921. Petitioner's counsel is James Kaiser, Wilhoit and Kaiser Law Firm, 220 Broad Street, Suite 210, Kingsport, TN 37660 .

**2. Relief Sought**

Pursuant to House Bill 2058, petition for release of escrowed funds on behalf of all known gas owners on Tract 2 of Well # VC-537150, VGOB 07/02/20/1888 as identified on the attached Exhibit EE and petition for direct payment to EQT for overpayment due to too much interest attributed to the escrow payments.

**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)**

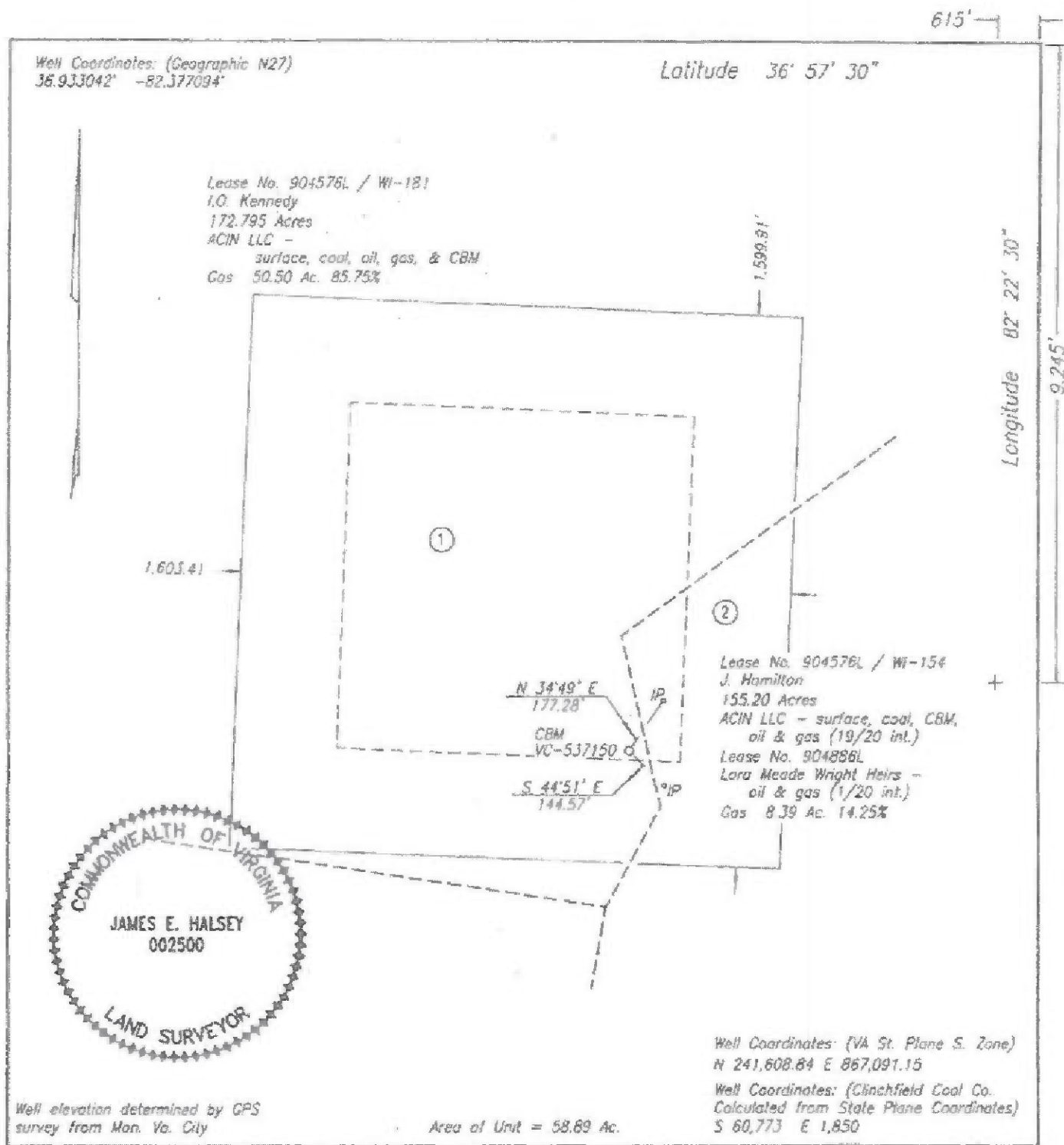
Coalbed Methane

**5. Factual basis for relief requested**

Pursuant to House Bill 2058, petition for release of escrowed funds on behalf of all known gas owners on Tract 2 of Well # VC-537150, VGOB 07/02/20/1888 as identified on the attached Exhibit EE and petition for direct payment to EQT for overpayment due to too much interest attributed to the escrow payments.

**6. Attestation**

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



WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-537150  
TRACT NO. Is. No. 904576L/WI-181 ELEVATION 2,228.59' QUADRANGLE Coeburn  
COUNTY Wise DISTRICT Lipps SCALE 1" = 400' DATE 1-08-2007  
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.

James E. Halsey  
Licensed Professional Engineer or Licensed Land Surveyor

**EXHIBIT "B"**  
**VC-537150**  
**VGOB - 07/02/20-1888**  
 Revised 5/2/16

| <u>TR</u>              | <u>LESSOR</u>                                                                             | <u>LEASE<br/>STATUS</u>      | <u>INTEREST<br/>WITHIN<br/>UNIT</u> | <u>GROSS<br/>ACREAGE<br/>IN UNIT</u> |
|------------------------|-------------------------------------------------------------------------------------------|------------------------------|-------------------------------------|--------------------------------------|
| <u>Gas Estate Only</u> |                                                                                           |                              |                                     |                                      |
| 1                      | ACIN, LLC<br>Attn: John Mooney<br>P.O. Box 2827<br>Huntington, WV 25727                   | Leased<br>904576L/<br>WI-181 | 85.750000%                          | 50.5000                              |
| <b>Tract 1 Totals</b>  |                                                                                           |                              | 85.750000%                          | 50.5000                              |
| 2                      | ACIN, LLC<br>Attn: John Mooney<br>P.O. Box 2827<br>Huntington, WV 25727                   | Leased<br>904576L/<br>WI-154 | 13.537500%                          | 7.9705                               |
|                        | Jackie Wright & Carol Wright, h/w<br>1228 Copper Ridge Road<br>Castlewood, VA 24224       | Unleased                     | 0.118750%                           | 0.0699                               |
|                        | Fred Wright & Judy Wright, h/w<br>74 Spring Valley Road<br>Bristol, VA 24201              | Leased<br>904886.04          | 0.118750%                           | 0.0699                               |
|                        | Jerry Wright & Mary Wright, h/w<br>56 Peewee St<br>Castlewood, VA 24283                   | Leased<br>904886.02          | 0.118750%                           | 0.0699                               |
|                        | Heirs of Gene & Linda Wright<br>PO Box 72<br>St. Paul, VA 24283                           | Leased<br>904886.03          | 0.118750%                           | 0.0699                               |
|                        | Mildred Gay McCoy &<br>Burt McCoy, w/h<br>353 Augusta Dr.<br>Abingdon, VA 24211           | Leased<br>904886.01          | 0.118750%                           | 0.0699                               |
|                        | Johnny Wayne Weaver &<br>Jody Weaver, h/w<br>16315 Georgia Hwy 315<br>Ellerslie, GA 31807 | Unleased                     | 0.039583%                           | 0.0262                               |
|                        | Andrew Naudzunas, I<br>11 Collins Street, B7<br>Seabrook, NH 03874-4654                   | Unleased                     | 0.039583%                           | 0.0262                               |

**EXHIBIT "B"**  
**VC-537150**  
**VGOB - 07/02/20-1888**  
 Revised 5/2/16

|                                                                     |          |           |        |
|---------------------------------------------------------------------|----------|-----------|--------|
| Andrew Naudzunas, II<br>32 Providence Hill Rd<br>Atkinson, NH 03811 | Unleased | 0.039583% | 0.0262 |
|---------------------------------------------------------------------|----------|-----------|--------|

|                       |          |            |        |
|-----------------------|----------|------------|--------|
| <b>Tract 2 Totals</b> | Unleased | 14.250000% | 8.3987 |
|-----------------------|----------|------------|--------|

|                         |                    |                |
|-------------------------|--------------------|----------------|
| <b>TOTAL GAS ESTATE</b> | <b>100.000000%</b> | <b>58.8987</b> |
|-------------------------|--------------------|----------------|

|                             |            |
|-----------------------------|------------|
| Percentage of Unit Leased   | 99.762500% |
| Percentage of Unit Unleased | 23.750000% |

|                          |         |
|--------------------------|---------|
| Acreage in Unit Leased   | 58.7501 |
| Acreage in Unit Unleased | 0.1486  |

**Coal Estate Only**

|                    |                                                                         |                              |            |         |
|--------------------|-------------------------------------------------------------------------|------------------------------|------------|---------|
| 1<br>TAX ID 019077 | ACIN, LLC<br>Attn: John Mooney<br>P.O. Box 2827<br>Huntington, WV 25727 | Leased<br>904576L/<br>WI-111 | 85.750000% | 50.5000 |
|--------------------|-------------------------------------------------------------------------|------------------------------|------------|---------|

|                       |            |         |
|-----------------------|------------|---------|
| <b>Tract 1 Totals</b> | 85.750000% | 50.5000 |
|-----------------------|------------|---------|

|                    |                                                                         |                              |            |        |
|--------------------|-------------------------------------------------------------------------|------------------------------|------------|--------|
| 2<br>TAX ID 019081 | ACIN, LLC<br>Attn: John Mooney<br>P.O. Box 2827<br>Huntington, WV 25727 | Leased<br>904576L/<br>WI-114 | 14.250000% | 8.3900 |
|--------------------|-------------------------------------------------------------------------|------------------------------|------------|--------|

|                       |            |        |
|-----------------------|------------|--------|
| <b>Tract 2 Totals</b> | 14.250000% | 8.3900 |
|-----------------------|------------|--------|

|              |                    |                  |
|--------------|--------------------|------------------|
| <b>TOTAL</b> | <b>100.000000%</b> | <b>58.890000</b> |
|--------------|--------------------|------------------|

|                             |         |
|-----------------------------|---------|
| Percentage of Unit Leased   | 100.00% |
| Percentage of Unit Unleased | 0.00%   |

|                          |         |
|--------------------------|---------|
| Acreage in Unit Leased   | 58.8900 |
| Acreage in Unit Unleased | 0.0000  |

EXHIBIT "E"  
VC-537150  
VGOB - 07/02/20-1888  
Revised 5/9/16

| <u>TR</u>               | <u>LESSOR</u>                                                                       | <u>LEASE<br/>STATUS</u> | <u>INTEREST<br/>WITHIN<br/>UNIT</u> | <u>GROSS<br/>ACREAGE<br/>IN UNIT</u> |
|-------------------------|-------------------------------------------------------------------------------------|-------------------------|-------------------------------------|--------------------------------------|
|                         | <u>Gas Estate</u>                                                                   |                         |                                     |                                      |
| 2                       | Jackie Wright & Carol Wright, h/w<br>1228 Copper Ridge Road<br>Castlewood, VA 24224 | Unleased                | 0.118750%                           | 0.0699                               |
|                         | Jerry Wright & Mary Wright, h/w<br>56 Peewee St<br>Castlewood, VA 24283             | Leased<br>904886.02     | 0.118750%                           | 0.0699                               |
|                         | Heirs of Gene & Linda Wright<br>PO Box 72<br>St. Paul, VA 24283                     | Leased<br>904886.03     | 0.118750%                           | 0.0699                               |
|                         | Mildred Gay McCoy & Burt McCoy, w/h<br>353 Augusta Dr.<br>Abingdon, VA 24211        | Leased<br>904886.01     | 0.118750%                           | 0.0699                               |
|                         | Andrew Naudzunas, II<br>32 Providence Hill Rd<br>Atkinson, NH 03811                 | Unleased                | 0.039583%                           | 0.0262                               |
| <b>Total Gas Estate</b> |                                                                                     |                         | 0.514583%                           | 0.3058                               |

**EXHIBIT "EE"**  
**VC-537150**  
**VGOB - 07/02/20-1888**  
 Revised 5/9/16

| <u>TR</u>                                    | <u>LESSOR</u>                                                                             | <u>LEASE<br/>STATUS</u>      | <u>INTEREST<br/>WITHIN<br/>UNIT</u> | <u>GROSS<br/>ACREAGE<br/>IN UNIT</u> |
|----------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------|-------------------------------------|--------------------------------------|
| <u>Gas Estate Only</u>                       |                                                                                           |                              |                                     |                                      |
| 2                                            | Fred Wright & Judy Wright, h/w<br>74 Spring Valley Road<br>Bristol, VA 24201              | Leased<br>904886.04          | 0.118750%                           | 0.0699                               |
|                                              | Johnny Wayne Weaver &<br>Jody Weaver, h/w<br>16315 Georgia Hwy 315<br>Ellerslie, GA 31807 | Unleased                     | 0.039583%                           | 0.0262                               |
|                                              | Andrew Naudzunus, I<br>32 Providence Hill Rd<br>Atkinson, NH 03811                        | Unleased                     | 0.039583%                           | 0.0262                               |
|                                              | <b>Total Gas Estate</b>                                                                   |                              | <b>0.197916%</b>                    | <b>0.1223</b>                        |
| <u>Coal Estate Only</u>                      |                                                                                           |                              |                                     |                                      |
| *Coal estate is released pursuant to HB 2058 |                                                                                           |                              |                                     |                                      |
| 2                                            | ACIN, LLC<br>Attn: John Mooney<br>P.O. Box 2827<br>Huntington, WV 25727                   | Leased<br>904576L/<br>WI-114 | 0.197916%                           | 0.1223                               |
|                                              | <b>Total Coal Estate</b>                                                                  |                              | <b>0.633331%</b>                    | <b>0.3931</b>                        |

Instrument 201603263  
Recorded in the Clerk s Office of  
Wise County and the City of Norton  
On Jul 11, 2016 at 01:43 PM.  
J. Jack Kennedy, Jr., Clerk  
Recorded by: April Huff