

Instrument Control Number

20200330800100

Instrument 202003308
Recorded in the Clerk's Office of
Wise County and the City of Norton
On Aug 21, 2020 at 10:48 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 [9]
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

UNITWELL NAME: VC537925

TRACT(S): 003

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-07-1016-2049-02

APPLICANTS: Diversified Production on behalf of Michael R. Kennedy, Peggy Annette Maxfield, Wanda Sue Kilgore

HEARING DATE AND LOCATION: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

APPEARANCES: Tim Scott on behalf of Diversified Production

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 12/05/2007, Recorded on 12/13/2007, Deed Book/Instrument No. 2005117, Page 21, County WISE.
2. Supplemental Order, Recorded on 03/12/2009, Deed Book/Instrument No. 200900828, County WISE.
3. Disbursement Order -01 Executed 07/01/2016, Recorded on 07/11/2016, Deed Book/Instrument No. 201603264, 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) 003 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 003 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 heirs of Roy and Lois Kennedy, being Michael R. Kennedy, Wanda Sue Kilgore, and Peggy Annette Maxfield, who have turned in their W9s, pursuant to House Bill #2058.

RELIEF GRANTED:

VGOB Disbursement
Unit VC537925

VGOB-07-1016-2049-02

Table 1

Tracts: 003

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage	Royalty Split		Escrowed Acres		Percent of Escrowed Funds		Adjustment Amount
			in Tract	in Tract		Agreement	Disbursed	Disbursed	Disbursed	Disbursed		
		Total acreage in escrow before disbursement						1.11000				
		003 Tract 003 (total acreage)										
1	003	Peggy Annette Maxfield\29 Maxfield Ln, Castlewood, VA, 24224			0.3700		100.00%	0.3700		33.3333%		
2	003	Wanda Sue Kilgore\PO Box 1251, Coeburn, VA, 24230			0.3700		100.00%	0.3700		33.3333%		
3	003	Michael R. Kennedy\112 Duck Pond Drive, Dandridge, TN, 37725			0.3700		100.00%	0.3700		33.3333%		

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 18 day of August, 2020 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 18 day of August, 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 18th day of August, 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 07-1016-2049-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 003 (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: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: VC537925

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

Petition for disbursement of funds on behalf of owners in Tracts 3, who have turned in their W9s, pursuant to House Bill # 2058.

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)

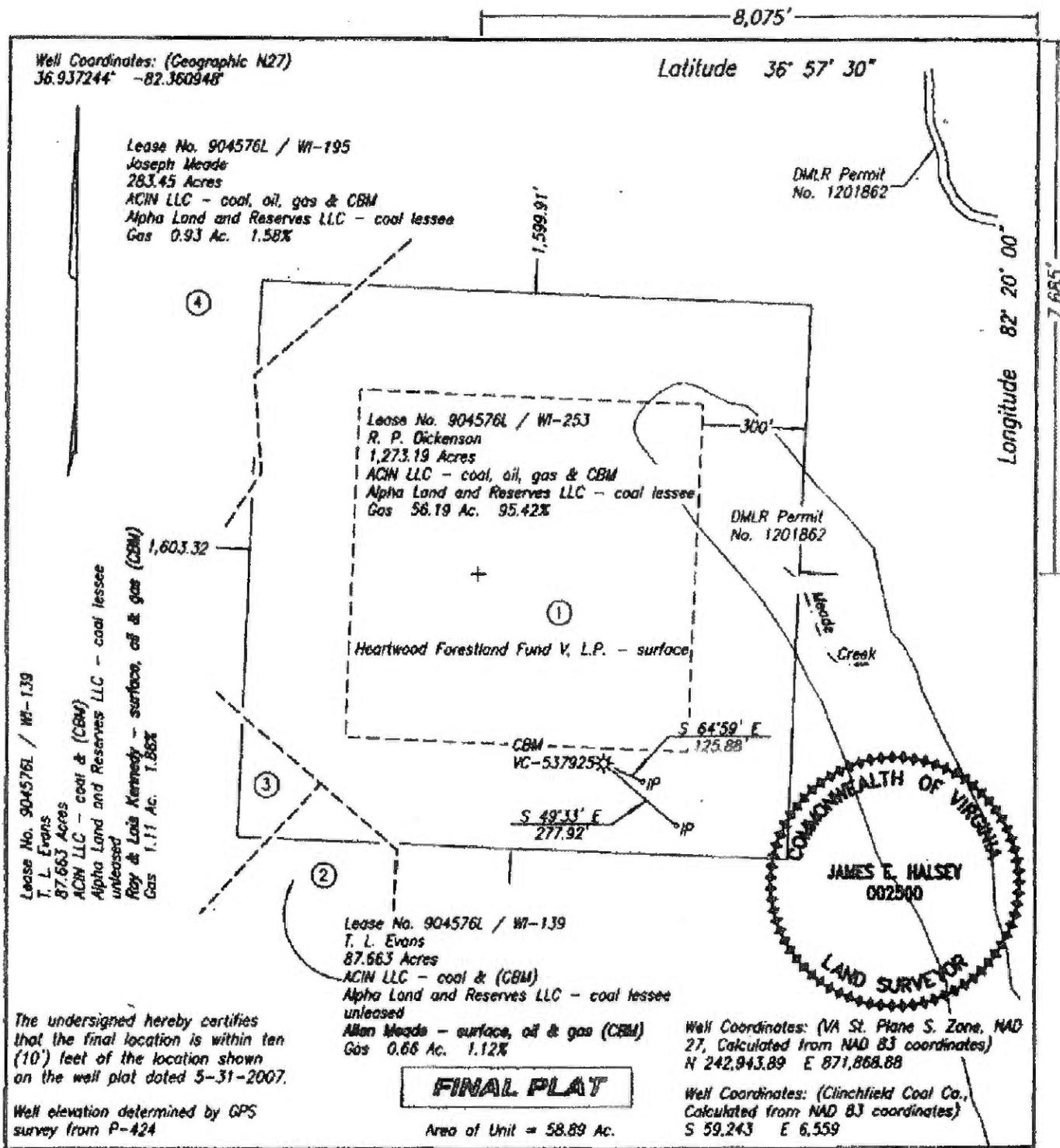
Coalbed Methane

5. Factual basis for relief requested

This disbursement is for the heirs of Roy and Lois Kennedy, being Michael R. Kennedy, Wanda Sue Kilgore, and Peggy Annette Maxfield, who have turned in their W9s, pursuant to House Bill #2058.

6. Attestation

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



The undersigned hereby certifies that the final location is within ten (10') feet of the location shown on the well plat dated 5-31-2007.

Well elevation determined by GPS survey from P-424

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-537925
TRACT NO. Le. No. 904576L/WI-253 ELEVATION 1,932.82' QUADRANGLE St. Paul
COUNTY Wise DISTRICT Lipps SCALE 1" = 400' DATE 12-14-2007

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.

James E. Halsey
Licensed Professional Engineer or Licensed Land Surveyor

Exhibit E
VC537925
Docket #VGOB 07-1016-2049-02
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
 VCS37925
 Docket #VGOB 07-1016-2049-02
 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>
3 TAX ID 007447	Peggy Annette Maxfield 29 Maxfield Ln Castlewood, VA, 24224	Unleased	0.62666667%	0.37000
	Wanda Sue Kilgore PO Box 1251 Coeburn, VA, 24230	Unleased	0.62666667%	0.37000
	Michael R. Kennedy 112 Duck Pond Drive Dandridge, TN, 37725	Unleased	0.62666667%	0.37000
		Tract 3 Total	1.88000000%	1.11000
	Total Gas Estate		1.88000000%	1.11000

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