

Instrument Control Number

20200330700100

Instrument 202003307
Recorded in the Clerk's Office of
Wise County and the City of Norton
On Aug 21, 2020 at 10:38 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 [11]
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: VC537160

TRACT(S): 004

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-08-0318-2180-03

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 07/15/2008, Recorded on 08/11/2008, Deed Book/Instrument No. 000075, County WISE.
2. Supplemental Order, Recorded on 09/30/2010, Deed Book/Instrument No. 201000306, Page 25, County WISE.
3. Disbursement Order -01 Executed 07/01/2016, Recorded on 07/11/2016, Deed Book/Instrument No. 201603265, County WISE.

4. Disbursement Order -02 Executed 07/20/2020, Recorded on 08/05/2020, Deed Book/Instrument No. 202003049, 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) 004 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 004 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 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.

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.

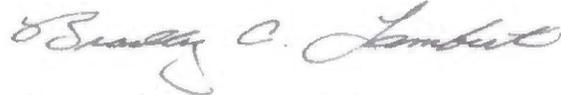
CONCLUSION:

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



Chairman, Bradley C. Lambert

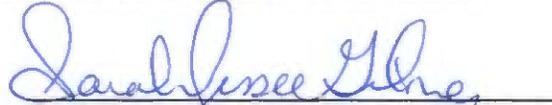
DONE AND PERFORMED this 18 day of August, 2020 by Order of the Virginia Gas and Oil Board.



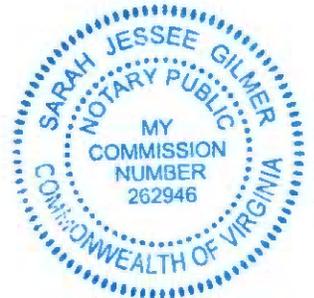
Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

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 08-0318-2180-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 004 (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: VC537160

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 Tract 4, 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)

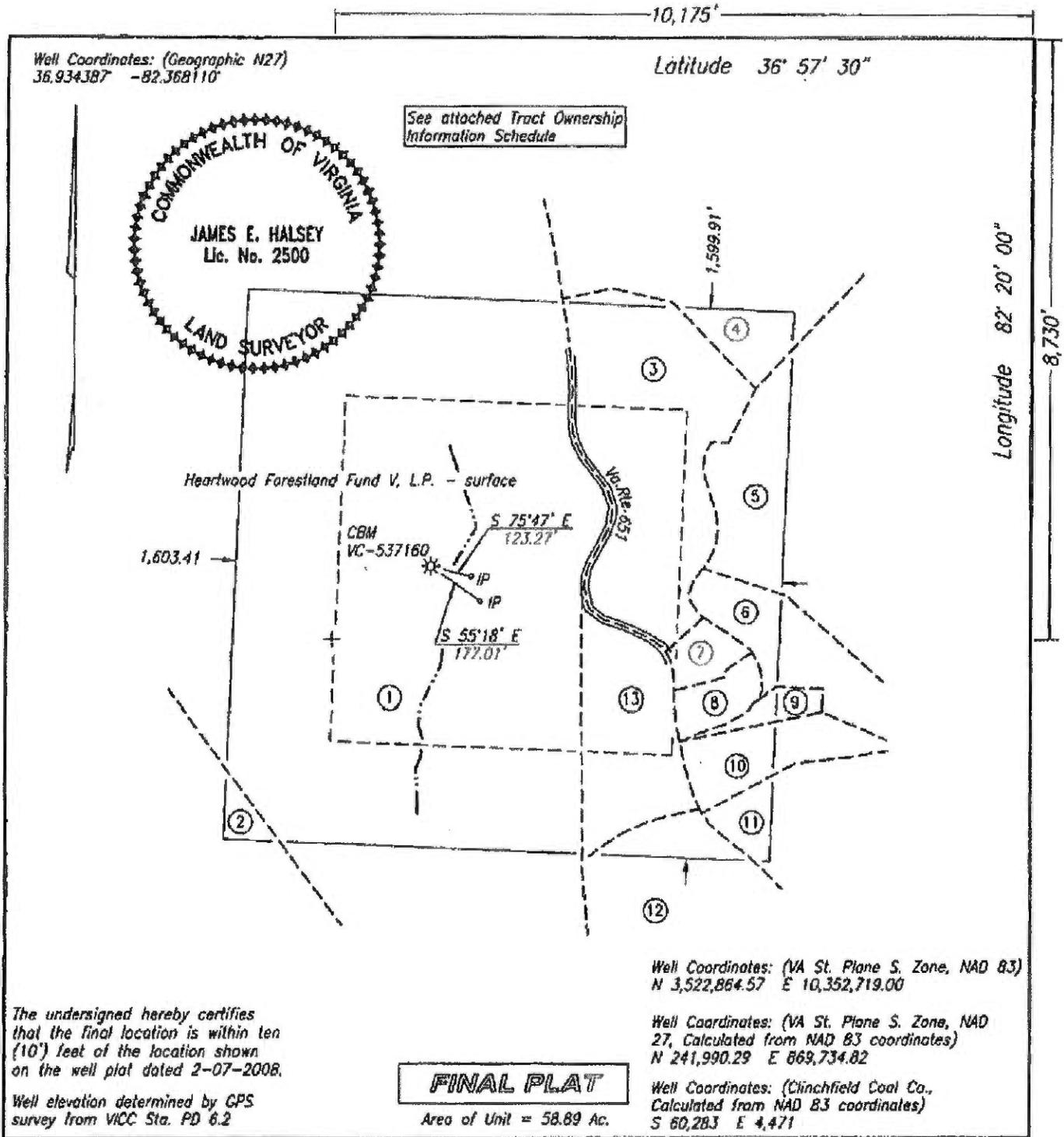
Coalbed Methane

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.



WELL LOCATION PLAT (Nora Grid CM-40)

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-537160
 TRACT NO. (s. No. 904576/WI-111) ELEVATION 2,103.16' QUADRANGLE St. Paul
 COUNTY Wise DISTRICT Lipps SCALE 1" = 400' DATE 5-09-2008

This Plat is a new plat _____; an updated plat _____; or a final location plat x

+ 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

201603265

VC-537160 PLAT
TRACT OWNERSHIP INFORMATION SCHEDULE
5/9/2008

1. Lease No. 904576L / WI-111
Johnson Burton
108.34 Acres
ACIN, LLC - coal, oil, gas & CBM
Gas 37.14 Ac. 63.07%
2. Lease No. 904576L / WI-114
V. & T. Campbell
18.811 Acres
ACIN, LLC - coal, oil, gas & CBM
Gas 0.39 Ac. 0.66%
3. Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Robert L. Smallwood, et ux - surface, oil & gas (CBM)
8.01 Acres
Gas 8.25 Ac. 14.01%
4. Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Roy Kennedy - surface, oil & gas (CBM)
9.23 Acres
Gas 1.02 Ac. 1.73%
5. Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Allen Meade - surface, oil & gas (CBM)
15.00 Acres
Gas 2.67 Ac. 4.53%
6. Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Wilma J. Meade, et vir - surface, oil & gas (CBM)
2.0 Acres
Gas 1.12 Ac. 1.90%
7. Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Tina Austin - surface, oil & gas (CBM)
2 Acres
Gas 0.68 Ac. 1.16%

201603265

- 8 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Dorothy Hamilton - surface, oil & gas (CBM)
2 Acres
Gas 0.82 Ac. 1.39%
- 9 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Wilma J. Meade, et vir - surface, oil & gas (CBM)
0.94 Acres
Gas 0.24 Ac. 0.41%
- 10 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Billy McClellan, et al - surface, oil & gas (CBM)
2.0 Acres
Gas 1.12 Ac. 1.90%
- 11 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Loretta Burton - surface, oil & gas (CBM)
2.0 Acres
Gas 0.69 Ac. 1.17%
- 12 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
Delmer E. Meade - surface, oil & gas (CBM)
4.0 Acres
Gas 0.88 Ac. 1.50%
- 13 . Lease No. 904576L / WI-139
T.L. Evans
87.663 Acres
ACIN, LLC - coal (CBM)
Alpha Land & Reserves, LLC - coal lessee
Unleased
William E. Meade and Dollie Meade Heirs - oil & gas (CBM)
2.0 Acres
Gas 3.87 Ac. 6.57%

Exhibit E
VC537160
Docket #VGOB 08-0318-2180-03
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>
10 Tax ID: 007752	Debra McClellan Ashburn 6515 Cedarberry Rd, Trinity, NC, 27370-8804	Unleased	0.241270%	0.1422
	Peggy McClellan Sifford PO Box 1029, Coeburn, VA, 24230-1029	Unleased	0.241270%	0.1422
	Larry McClellan 241 Ravine Street, Gate City, VA, 24251-3346	Unleased	0.241270%	0.1422
	Bobby McClellan 154 Balsa Dr., Apt. 102, St. Paul, VA, 24283	Unleased	0.241270%	0.1422
	Phyllis McClellan Killion PO Box 512, St. Paul, VA, 24283	Unleased	0.241270%	0.1422
	Billy McClellan 2358 Red Hill Rd., Gate City, VA, 24250	Unleased	0.241270%	0.1422
	Freida Taylor and Fred Taylor 267 Morefield Bottom Rd, St. Paul, VA, 24283	Unleased	0.105556%	0.0622
	Linda Hale and Verlin Hale 1525 Gravel Lick Road, Castlewood, VA, 24224- 7147	Unleased	0.105556%	0.0622
	Total Gas Estate		1.553176%	0.9778

Exhibit EE
VC537160
Docket #VGOB 08-0318-2180-03
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>
4 TAX ID 007447	Peggy Annette Maxfield 29 Maxfield Ln Castlewood, VA, 24224	Unleased	0.57666667%	0.34000
	Wanda Sue Kilgore PO Box 1251 Coeburn, VA, 24230	Unleased	0.57666667%	0.34000
	Michael R. Kennedy 112 Duck Pond Drive Dandridge, TN, 37725	Unleased	0.57666667%	0.34000
		Tract 3 Total	1.73000000%	1.0200
	Total Gas Estate		1.73000000%	1.02000

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On Aug 21, 2020 at 10:38 AM.
J. Jack Kennedy, Jr., Clerk
Recorded by: mary hagy