

**IN THE CIRCUIT COURT OF TYLER COUNTY, WEST VIRGINIA**

<b>ANTERO RESOURCES CORPORATION,</b>	)	
	)	
<b>Petitioner,</b>	)	
<b>v.</b>	)	<b>Civil Action No. 22-AA-1</b>
	)	
<b>THE HONORABLE MATTHEW IRBY,</b>	)	<b>Judge Cramer</b>
<b>West Virginia State Tax Commissioner,</b>	)	
	)	
<b>THE HONORABLE LISA JACKSON,</b>	)	
<b>Assessor of Tyler County, and</b>	)	<b>FILED</b>
	)	
<b>THE COUNTY COMMISSION OF TYLER COUNTY,</b>	)	<b>FEB 23 2022</b>
<b>Sitting as a Board of Assessment Appeals,</b>	)	
	)	<small>Candy L. Warner Tyler Co. Circuit Clerk</small>
<b>Respondents.</b>	)	

**ANSWER OF THE COUNTY COMMISSION OF TYLER COUNTY**

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Comes now the County Commission of Tyler County, by and through D. Luke Furbee, Prosecuting Attorney for Tyler County, West Virginia, who has for its Answer to the Petition of Antero Resources Corporation the following:

1. Pursuant to W.Va. R. Civ. P. 9(d), the County Commission of Tyler County, which sat as the Board of Assessment Appeals in the underlying matter, hereby avers that all of its official acts, including but not limited to the denial of Petitioner's appeal of tax assessments on January 11, 2022, were taken in compliance with law.

2. To the extent that the Petition of the Petitioner filed herein avers that said denial of its appeal of certain tax assessments as therein alleged was erroneous, the County Commission of Tyler County denies the same.


3. Because the County Commission of Tyler County avers that these proceedings are strictly controlled by applicable statutes and decisional precedent

regarding presumptions and burdens of proof in appeals of tax assessments, the County Commission further avers that it is not obliged to affirm or deny any other factual allegation appearing in the Petition of the Petitioner, but that it is sufficient to aver that all of the official acts taken by the County Commission of Tyler County herein were in compliance with applicable law.

WHEREFORE, the County Commission of Tyler County respectfully prays that this Court affirm its decision or otherwise dismiss the Petition herein.

**COUNTY COMMISSION OF TYLER COUNTY**  
**Respondent**

By Counsel:



D. Luke Furbee  
Prosecuting Attorney  
Tyler County, West Virginia  
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## **CERTIFICATE OF SERVICE**

I, D. Luke Furbee, Prosecuting Attorney for Tyler County, West Virginia, do hereby certify that I have made service of the foregoing "Answer of the County Commission of Tyler County" upon the parties hereto, by delivering a true and exact copy thereof to the party or their counsel, in the following manner:

### ***Via U.S. Mail, Postage pre-paid:***

Mr. John J. Meadows, Esq.  
Steptoe & Johnson, PLLC  
P.O. Box 1588  
Charleston, WV 25326

Mr. Lawrence D. Rosenberg, Esq.  
Jones Day  
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Washington, DC 20001

### ***Counsel for Petitioner***

Ms. Katherine A. Schultz, Esq.  
Sr. Deputy Attorney General  
Mr. Sean M. Whelan, Esq.  
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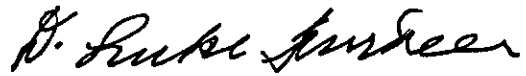
Mr. Jan Mudrinich, Esq.  
State of West Virginia  
State Tax Department  
Property Tax Division  
1124 Smith Street, 2<sup>nd</sup> Floor  
Charleston, WV 25301

### ***Counsel for State Tax Commissioner***

### ***Via Hand Delivery:***

The Honorable Lisa Jackson  
Tyler County Assessor

Dated this 23<sup>rd</sup> day of February, 2022:

A handwritten signature in dark ink, appearing to read "D. Luke Furbee", written over a horizontal line.

D. Luke Furbee  
Prosecuting Attorney  
Tyler County, West Virginia  
W.Va. State Bar No. 9660