



1) Date: August 24, 19 83
 2) Operator's Well No. B-535
 3) API Well No. 47 - 001 - 1981
 State County Permit

STATE OF WEST VIRGINIA
 DEPARTMENT OF MINES, OIL AND GAS DIVISION
 APPLICATION FOR A WELL WORK PERMIT

- 4) WELL TYPE: A Oil / Gas / B (If "Gas", Production / Underground storage / Deep / Shallow)
- 5) LOCATION: Elevation: 1930' Watershed: Tributary of Laurel Run of Tygart Valley River
 District: Philippi County: Barbour Quadrangle: Audra 7 1/2
- 6) WELL OPERATOR: J & J Enterprises, Inc. c/o Berry Energy Consultants
 Address: P. O. Box 5 Clarksburg, WV 26301
- 7) DESIGNATED AGENT: W. B. Berry
 Address: P. O. Box 5 Clarksburg, WV 26301
- 8) OIL & GAS INSPECTOR TO BE NOTIFIED: Name: M Robert Stewart
 Address: P. O. Box 345 Jane Lew, WV 26378
- 9) DRILLING CONTRACTOR: Name: S. W. Jack Drilling Company
 Address: P. O. Box 48 Buckhannon, WV 26201
- 10) PROPOSED WELL WORK: Drill / Drill deeper / Redrill / Stimulate
 Plug off old formation / Perforate new formation
 Other physical change in well (specify) _____
- 11) GEOLOGICAL TARGET FORMATION, Haverty
- 12) Estimated depth of completed well, 5400 feet
- 13) Approximate trata depths: Fresh, 35 feet; salt, None feet.
- 14) Approximate coal seam depths: 245' - 295' - 585 Is coal being mined in the area? Yes

RECEIVE
 SEP 15 1983
 OIL & GAS DIVISION
 DEPT. OF MIN

15) CASING AND TUBING PROGRAM

CASING OR TUBING TYPE	SPECIFICATIONS					FOOTAGE INTERVALS		CEMENT FILL-UP OR SACKS (Cubic feet)	PACKERS
	Size	Grade	Weight per ft.	New	Used	For drilling	Left in well		
Conductor	11-3/4	API	42#	X		30'	30'		Kinds
Fresh water									
Coal									Sizes
Intermediate	8-5/8	API	24#	X		1100'	1100'	To Surface	By Rule 25-05
Production	4-1/2	API	10#	X		5400'	5400'	530 Sks.	
Tubing									Depths set
Liners									Perforations:
									Top Bottom

OFFICE USE ONLY
 DRILLING PERMIT

Permit number 47-001-1981 Date October 4, 19 83

This permit covering the well operator and well location shown below is evidence of permission granted to drill in accordance with the pertinent legal requirements subject to the conditions contained herein and on the reverse hereof. Notification must be given to the District Oil and Gas Inspector, (Refer to No. 8) Prior to the construction of roads, locations and pits for any permitted work. In addition, the well operator or his contractor shall notify the proper district oil and gas inspector 24 hours before actual permitted work has commenced.)

The permitted work is as described in the Notice and Application, plat, and reclamation plan, subject to any modifications and conditions specified on the reverse hereof.

Permit expires October 4, 1985 unless well work is commenced prior to that date and prosecuted with due diligence.

BLANKET BOND

Bond:	Agent:	Plat:	Casing:	Fee:
	OK			4325

[Signature]
 Administrator, Office of Oil and Gas

NOTE: Keep one copy of this permit posted at the drilling location.

See the reverse side of the APPLICANT'S COPY for instructions to the well operator.

File



STATE OF WEST VIRGINIA
 DEPARTMENT OF MINES, OIL AND GAS DIVISION
OFFICE USE ONLY

PERMIT MODIFICATIONS AND CONDITIONS (IF ANY) TO THE PROPOSED WELL WORK

4) WELL LOCATION: B (H "Gas", Production) / Underground storage / Deep / Shallow /
 Elevation: _____ / District: _____ / County: _____ /
 5) WELL OPERATOR: _____ / Address: _____
 6) OIL & GAS INSPECTOR TO BE NOTIFIED: _____ / Name: _____ / Address: _____
 7) DESIGNATED AGENT: _____ / Address: _____
 8) DRILLING CONTRACTOR: _____ / Name: _____ / Address: _____
 9) PROPOSED WELL WORK: _____ / Drill / deeper / Redrill / Stimulate /
 Plug off old formation / Perforate new formation /
 Other physical change in well (specify): _____
 10) GEOLOGICAL TARGET FORMATION: _____ / Estimated depth of completed well: _____ feet /
 Approximate true depth: _____ feet / Fresh: _____ feet /
 Approximate coal seam depth: _____ feet / Is coal being mined in the area? Yes / No

CASING OR TUBING TYPE	Size	Grade	SPECIFICATIONS		FOOTAGE INTERVALS		CEMENT FILL-UP OR SACKS (Cubic feet)	PACKERS
			Weight per ft.	New / Used	For drilling	Left in well		
Conductor	4 1/2"	A52	42.5	X	30'	30'		Kinda
Fresh water								
Coal								
Intermediate	4 1/2"	A52	42.5	X	1100'	1100'	To surface	Size
Production	4 1/2"	A52	42.5	X	2400'	2400'	580' Sks.	Depth set

OFFICE USE ONLY

This part of Form IV-2(b) is to record the dates of certain occurrences and any follow-up inspections.

Date	Date(s)

Application received _____ Follow-up inspection(s) _____
 Well work started _____
 Completion of the drilling process _____
 Well Record received _____
 Reclamation completed _____

OTHER INSPECTIONS

Reason: _____
 Reason: _____

Agent	Plate	Casing	Fee

NOTE: Keep one copy of this permit posted at the drilling location.

1) Date: August 24, 1983
2) Operator's Well No. B-535
3) API Well No. 47

State County Permit

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES, OFFICE OF OIL & GAS

NOTICE OF APPLICATION FOR A WELL WORK PERMIT

1) SURFACE OWNER(S) OF RECORD TO BE SERVED

(i) Name Woodrow A. Stout
Address P. O. Box 292
Junior, WV 26275

(ii) Name
Address

(iii) Name
Address

5(i) COAL OPERATOR Non-Operated
Address

5(ii) COAL OWNER(S) WITH DECLARATION ON RECORD:
Name Josephine Marrara
Address 101 Lincoln Ave.
Kingwood, WV 26537

Name
Address

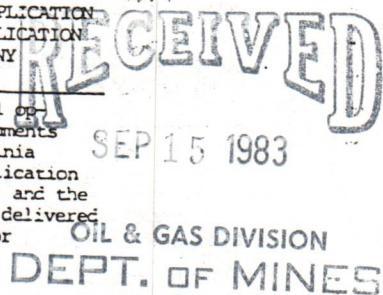
5(iii) COAL LESSEE WITH DECLARATION ON RECORD:
Name
Address

TO THE PERSON(S) NAMED ABOVE: You should have received this Form and the following documents:

- (1) The Application for a Well Work Permit on Form IV-2(B) (or Form IV-4 if the well is to be plugged, which sets out the parties involved in the drilling or other work, and describes the well and its location and, if applicable, the proposed casing and cementing program;
- (2) The plat (surveyor's map) showing the well location on Form IV-6; and
- (3) The Construction and Reclamation Plan on Form IV-9 (unless the well work is only to plug a well), which sets out the plan for erosion and sediment control and for reclamation for the site and access road.

THE REASON YOU RECEIVED THESE DOCUMENTS IS THAT YOU HAVE RIGHTS REGARDING THE APPLICATION WHICH ARE SUMMARIZED IN THE "INSTRUCTIONS" ON THE REVERSE SIDE OF THE COPY OF THE APPLICATION (FORM IV-2(B) OR FORM 4, DESIGNATED FOR YOU. HOWEVER, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT ALL.

Take notice that under Chapter 22 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a Well Work Permit with the Administrator of the Office of Oil and Gas, West Virginia Department of Mines, with respect to a well at the location described on attached Application and depicted on attached Form IV-6. Copies of this Notice, the Application, the plat, and the Construction and Reclamation Plan have been mailed by registered or certified mail or delivered by hand to the person(s) named above (or by publication in certain circumstances) on or before the day of mailing or delivery to the Administrator.



6) EXTRACTION RIGHTS

Check and provide one of the following:

- Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil or gas.
- The requirement of Code 22-4-1-(c) (1) through (4). (See reverse side for specifics.)

7) ROYALTY PROVISIONS

Is the right to extract, produce or market the oil or gas based upon a lease or leases or other contract or contracts providing for flat well royalty or any similar provision for compensation to the owner of the oil or gas in place which is not inherently related to the volume of oil or gas so extracted, produced or marketed? Yes No

If the answer above is No, nothing additional is needed. If the answer is Yes, you may use Affidavit Form IV-60.

See the reverse side for line item instructions, and for instructions concerning the required copies of the Notice and Application, plat, and Construction and Reclamation Plan.

The truth of the information on the Notice and Application is verified and sworn to and the Notice is signed on behalf of the Well Operator in my County and State by

WELL OPERATOR Berry Energy Consultants & Mgr's., Inc

By David B. Berry
Its Vice President
Address P. O. Box 5
Clarksburg, WV 26301
Telephone 622-3450

this 4th day of August, 1983
My commission expires 4/22, 1991.

Mary Louise Connor
Notary Public, Putnam County,
State of West Virginia

I N S T R U C T I O N S T O A P P L I C A N T

CONCERNING THE LINE ITEMS:

- 1) Date of Notice.
- 2) Your well name and number.
- 3) To be filled out by the Office of Oil & Gas.
- 4) & 5) Use separate sheet if necessary.
- 4) Surface owner(s) of record to be served with Notice and Application. However, see also Code § 22-4-1b(b) if "more than three tenants in common or other co-owners of interest described in subsection (a) of this section hold interests in such lands".
- 5(i) "Coal Operator" means any person, firm, partnership, partnership association or corporation that proposes to or does operate a coal mine.
- 5(ii, iii) See Code § 22-4-20.
- 6) See Code § 22-4-11(c). However, in lieu of filing the lease(s) or other continuing contract(s), the Applicant may fill out the information in the space provided below.
- 7) See Code § § 22-4-11(d, e).

CONCERNING THE REQUIRED COPIES FOR FILING AND SERVICE:

Filing. Code § 22-4-1k and Regulation 7.02 provide that the original and required copies of the Notice and Application must be filed with the Administrator, accompanied by (i) a plat in the form prescribed by Regulation 11, (ii) a bond in one of the forms prescribed by Regulation 12, or in lieu thereof the other security allowed by Code § 22-4-1k(d) and the reclamation required by Code § 22-4-12b and Regulation 23, (iv) unless previously paid on the same well, the fees required by Code § 22-4-1a(c) and 22-3-12a, and (v) if applicable, the consent required by Code § 22-4-8a from the owner of any water well on dwelling within 200 feet of the proposed well.

Service. In addition, service must be made on the surface owner(s) and the person(s) with an interest in the coal. See Code § § 22-4-1m, 22-4-2, 22-4-2a, and 22-4-2b.

INFORMATION SUPPLIED UNDER CODE § 22-4-11(d)

IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on the obverse side of this Notice, I depose and say that I am the person who signed the Notice for the Applicant, and that--

- (1) the tract of land is the same tract described in the Application to which this Notice applies, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

<u>Grantor, lessor, etc.</u>	<u>Grantee, lessee, etc.</u>	<u>Royalty</u>	<u>Book</u>	<u>Page</u>
FRANK S. WILMOTH	W.B. BERRY	1/8	91	516

STATE OF WVA
 COUNTY OF Barbour to-wit:
 I, Frank M. Jant a notary public of the said (state) of Barbour do certify
 that Frank A. Wilmoth single
 whose name is signed to the writing above bearing date 3 day of Feb., 1982
 has this day acknowledged the same before me in my said county.
 Given under my hand this 3 day of Feb., 1982
 My commission expires Aug. 22, 1986 Frank M. Jant
 Notary Public

STATE OF West Virginia
 COUNTY OF Harrison to-wit:
 I, Robert C. Smith a notary public of the said (state) of West Virginia do certify
 that Stacy Berry
 whose name is signed to the writing above bearing date 3rd day of February, 1982
 has this day acknowledged the same before me in my said county.
 Given under my hand this 1st day of March, 1982
 My commission expires Nov. 1, 1983 Robert C. Smith
 Notary Public for and for
the State of West Virginia

23-88-7 20 2.00 ea.
 BARBOUR COUNTY, W.V.
 FILED OR RECORDED
 1982 JUL -7 AM 9:18
 O/R
 91 PAGE 516
 GLENNA G. PROPST, CLERK

STATE OF WEST VIRGINIA, County of Barbour, To-wit:
 I, Glenna G. Propst, Clerk of the County Commission of said County, do
 hereby certify that the foregoing writing, with Certificate thereto annexed, was
 this day produced to me in my office and duly admitted to record.
 Witness my hand. Glenna G. Propst CLERK.

DAYTON LEGAL BLANK CO. FEE PAID \$ 2.00
 GLENNA G. PROPST
 CLERK BARBOUR COUNTY COMMISSION

STATE OF _____
 COUNTY OF _____ to-wit:
 I, _____ a notary public of the said (state) of _____ do certify
 that _____
 whose name _____ signed to the writing above bearing date _____ day of _____, 19____
 ha _____ this day acknowledged the same before me in my said county.
 Given under my hand this _____ day of _____, 19____
 My commission expires _____
 Notary Public

STATE OF _____
 COUNTY OF _____ to-wit:
 I, _____ a notary public of the said (state) of _____ do certify
 that _____
 whose name _____ signed to the writing above bearing date _____ day of _____, 19____
 ha _____ this day acknowledged the same before me in my said county.
 Given under my hand this _____ day of _____, 19____
 My commission expires _____
 Notary Public

_____/_____

_____ (Seal)
_____ (Seal)
_____ (Seal)

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS WELLS DIVISION

RECEIVED
NOV 1 - 1983

INSPECTOR'S WELL REPORT

OIL & GAS DIVISION
DEPT. OF MINES

Permit No. 001-1981

Oil or Gas Well _____
(KIND)

Company J & J Enterprises
 Address _____
 Farm Frank Melmouth
 Well No. B-535
 District Phillippi County Booth
 Drilling commenced _____
 Drilling completed _____ Total depth 3100
 Date shot _____ Depth of shot _____
 Initial open flow _____ /10ths Water in _____ Inch
 Open flow after tubing _____ /10ths Merc. in _____ Inch
 Volume _____ Cu. Ft.
 Rock pressure _____ lbs. _____ hrs.
 Oil _____ bbls., 1st 24 hrs.
 Fresh water _____ feet _____ feet
 Salt water _____ feet _____ feet

CASING AND TUBING	USED IN DRILLING	LEFT IN WELL	PACKERS
Size			
16			Kind of Packer _____
13			
10			Size of _____
8 1/4			
6 5/8			Depth set _____
5 3/16			
3			Perf. top _____
2			Perf. bottom _____
Liners Used			Perf. top _____
			Perf. bottom _____

CASING CEMENTED _____ SIZE _____ No. FT. _____ Date _____
 NAME OF SERVICE COMPANY _____
 COAL WAS ENCOUNTERED AT _____ FEET _____ INCHES
 _____ FEET _____ INCHES FEET _____ INCHES
 _____ FEET _____ INCHES FEET _____ INCHES

Drillers' Names _____

Remarks: Drilling at 3100

Oct 26, 83
DATE

Phillip Tracy
DISTRICT WELL INSPECTOR

2/16/82

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS WELLS DIVISION
INSPECTOR'S PLUGGING REPORT

Permit No. _____

Well No. _____

COMPANY _____ ADDRESS _____

FARM _____ DISTRICT _____ COUNTY _____

Filling Material Used _____

Liner			Location	Amount	Packer	Location		
PLUGS USED AND DEPTH PLACED			BRIDGES			CASING AND TUBING		
CEMENT-THICKNESS	WOOD-SIZE	LEAD	CONSTRUCTION-LOCATION			RECOVERED	SIZE	LOST

Drillers' Names _____

Remarks: _____

_____ DATE I hereby certify I visited the above well on this date.

DISTRICT WELL INSPECTOR



RECEIVED
JUN 1 1 1985

State of West Virginia
Department of Mines
Oil and Gas Division
Charleston 25305

OIL & GAS DIVISION
DEPT. OF MINES

FINAL INSPECTION REPORT
INSPECTORS COMPLIANCE REPORT
March 5, 1984

CON J & J Enterprises, Inc. - PERMIT NO 001-1981
P. O. Box 48
Buckhannon, West Virginia - FARM & WELL NO Woodrow A. Stout #B-535
26201 - DIST. & COUNTY Philippi/Barbour

RULE	DESCRIPTION	IN COMPLIANCE	
		YES	NO
23.06	Notification Prior to Starting Work	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25.04	Prepared before Drilling to Prevent Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25.03	High-Pressure Drilling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.01	Required Permits at Wellsite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.03	Adequate Fresh Water Casing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.02	Adequate Coal Casing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.01	Adequate Production Casing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.04	Adequate Cement Strength	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.05	Cement Type	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.02	Maintained Access Roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25.01	Necessary Equipment to Prevent Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.04	Reclaimed Drilling Pits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.05	No Surface or Underground Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.07	Requirements for Production & Gathering Pipelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.01	Well Records on Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.02	Well Records Filed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.05	Identification Markings	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HAVE INSPECTED THE ABOVE CAPTIONED WELL AND RECOMMEND THAT IT BE RELEASED:

SIGNED *Dan Miller*

DATE 6-4-85

Your well record was received and reclamation requirements approved. In accordance with Chapter 22, Article 4, Section 2, the above well will remain under bond coverage for the life of the well.

T. L. ...
Administrator-Oil & Gas Division

June 13, 1985
DATE

E-5 Across

B. 422

STEPTOE & JOHNSON
ATTORNEYS AT LAW
SIXTH FLOOR
UNION NATIONAL CENTER EAST
P. O. BOX 2190
CLARKSBURG, W. VA. 26301
(304) 624-8000

EUGENE G. EASON
RALPH BOHANNON
ERNEST C. SWIGER
WILLIS O. SHAY
HERBERT G. UNDERWOOD
JACKSON L. ANDERSON
ROBERT G. STEELE
JAMES M. WILSON
PATRICK D. DEEM
ROBERT M. STEPTOE, JR.
JUSTIN L. HENDERSON
ANNE R. WILLIAMS
JAMES R. WATSON
JAMES D. GRAY
VINCENT A. COLLINS
JAMES A. RUSSELL
FRANK E. SIMMERMAN, JR.
MICHAEL L. BRAY
J. GREG GOODYKOONTZ
IRENE M. KEELEY
EVANS L. KING, JR.
WALTER L. WILLIAMS
SUSAN S. BREWER
RONALD H. HANLAN

WRITER'S DIRECT DIAL NUMBER
(304) 624- 8121

TELECOPIER
(304) 624-8177

July 1, 1981

Mr. W. B. Berry, President
Berry Energy Consultants &
Managers, Inc.
Post Office Box 5
Clarksburg, WV 26301

RECEIVED
SEP 15 1983

Your Well No. B-422

OIL & GAS DIVISION
DEPT. OF MINES

Dear Bernard:

I am enclosing herewith for your records a copy of a letter dated June 30, 1981, which I received from Charles V. Wehner, Esquire, in response to my letter to him dated June 25, 1981, with respect to the captioned well. Apparently Mr. Wehner is not familiar with the rights which have been accorded to oil and gas operators with respect to coal within and underlying property on which they have a right to drill for oil and gas purposes. I would suggest that you drill your Well No. B-422 in the normal manner in which you have previously drilled and completed wells and if you hear anything further from Mr. Wehner or his client, Mr. Marrara, you should refer their inquiries to me for further handling.

Very truly yours,

Pat

Patrick D. Deem

PDD/sl

Enclosure

8-422
Charles V. Wehner
Attorney at Law
103 West Court Street
Kingwood, West Virginia 26537

(304) 929-1581

June 30, 1981

Patrick D. Deem, Esq.
Attorney at Law
P. O. Box 2190
Clarksburg, WV 26301

RECEIVED

SEP 15 1983

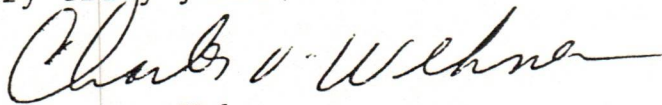
Re: Berry Energy Consultants-Your letter of
June 25, 1981

OIL & GAS DIVISION
DEPT. OF MINES

Dear Mr. Deem:

I acknowledge receipt of your letter and note its contents. The position of my client is unchanged, being that your client will be held strictly accountable and fully responsible for payment of coal which may be lost and rendered unmineable by reason of your client's activities affecting the same.

Very truly yours,



Charles V. Wehner

CVW:fll

cc: Joseph P. Marrara
West Virginia Department of Mines
Oil and Gas Division



B-422

State of West Virginia

Department of Mines
Oil and Gas Division

Charleston 25305

WALTER N. MILLER
DIRECTOR

Thomas E. Huzzey
Administrator

00G-0310

July 13, 1981

RECEIVED
SEP 15 1983

Mr. Charles V. Wehner
Attorney at Law
103 West Court Street
Kingwood, WV 26537

OIL & GAS DIVISION
DEPT. OF MINES

Re: Berry Energy Consultants
Proposed Well location B-422
Philippi District of Barbour County

Dear Mr. Wehner:

If you propose to oppose this well site you will have to complete and return to this office immediately the enclosed IV-13 forms.

A hearing will then be scheduled at which you may present your mine maps for the "Shallow Gas Well Review Board's" consideration.

Very truly yours,

Thomas E. Huzzey
Thomas E. Huzzey, Administrator
Office of Oil and Gas

Encls. IV-13 (2)

cc/ Mrs. Joseph P. Marrara
✓ Berry Energy Consultants, inc.



Faint, illegible text centered on the page, possibly a title or header.

Faint text on the right side of the page, possibly a date or reference number.

Faint text on the left side of the page, possibly a name or address.

Faint text in the lower right quadrant of the page, possibly a signature or block of text.

Faint text in the lower right quadrant, below the previous block.

Faint text at the bottom right of the page, possibly a footer or page number.

Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR
UNION NATIONAL BANK BUILDING
POST OFFICE BOX 5
CLARKSBURG, WEST VIRGINIA 26301

W. B. BERRY
PRESIDENT

August 1, 1983

PHONE: 304/622-3450

Woodrow A. Stout
P. O. Box 292
Junior, WV 26275

RECEIVED
SEP 15 1983

WELL B-535

Dear Mr. Stout:

OIL & GAS DIVISION
DEPT. OF MINES

This Corporation as operator for and in behalf of J & J Enterprises, Inc., has scheduled the drilling of a proposed test well on the Wilmoth lease of 26 acres situate in Philippi District, Barbour County which is the mineral tract on which you own the surface at the drill site.

Attached for your appraisal and review are the following copies.

- (1) IV-2 - Oil and Gas Well Permit Application
- (2) IV-2(A) - Notice of Application for a Well Work Permit
- (3) IV-2(B) - Notice of Application for a Well Work Permit
- (4) IV-9 - Construction and Reclamation Plan.
- (5) Well location plat

The ideal method of processing the proposed drilling plans with you, is by a personal visit by one of our field representatives. However, should we fail in this endeavor, the subject package will be sent by Certified Mail to your address.

We are hopeful that you will find the application in order and that you will execute Form IV-2(B) which requires your signature approving the plan as outlined.

These materials are being tendered to you due to the fact that you as a surface owner have the right to file comments before the permit is issued, as outlined on the back of Form IV-2(B).

Should you have a suggestion or comment that you believe should be discussed, please contact us at your earliest convenience.

We are hopeful that you will find the permit application in satisfactory order as presented.

Yours very truly,

W. B. Berry mac
W. B. Berry

WBB:mac
Enclosures
cc: WV Department of Mines

Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR
UNION NATIONAL BANK BUILDING
POST OFFICE BOX 5
CLARKSBURG, WEST VIRGINIA 26301

W. B. BERRY
PRESIDENT

August 24, 1983

PHONE: 304/622-3450

CERTIFIED MAIL

Josephine Marrara
101 Lincoln Ave.
Kingwood, WV 26537

RE: Well B-535
Philippi District
Barbour County

Dear Ms. Marrara:

This Corporation, as operator for and on behalf of J & J Enterprises, Inc., has scheduled the drilling of a Haverty test well, identified as well B-535 at a location as indicated by the attached Department of Mines well location map and accompanying detail forms.

As required by state statute, we are obligated to advise you of the proposed well, thus affording you an opportunity to review the location as it relates to your mining activities, if any, and then to subsequently indicate your objection or acceptability of the proposed drill site.

We would very much appreciate an immediate response from you either indicating your approval of the well location or outlining your objections, if any, as required by the Department of Mines. However, under the State regulations, you are allowed 15 days for reciting the details of any protest which you may have.

On the other hand, should you have any questions which you believe that we can assist you with, may we urge that you phone us without delay.

Yours very truly,

W. B. Berry mac.
W. B. Berry

WBB:mac

Enclosure

cc: WV Department of Mines

STATE OF WEST VIRGINIA
 DEPARTMENT OF MINES
 CHARLESTON
 25305



INFORMATION
 MEMO

STATE OF WEST VIRGINIA

WV-20

TO: Ms. Anna John		Date: 9-13-83	Time:
FROM: Ms. Lois Simpkins		Of: Office of Oil & Gas	
TELEPHONE	Number:	Ext:	Received By:
<input type="checkbox"/> PLEASE CALL <input type="checkbox"/> WILL CALL AGAIN		<input type="checkbox"/> RETURNING YOUR CALL <input type="checkbox"/> CALLED TO SEE YOU	
APPOINTMENT	With:	Time:	

- PLEASE:
- COMMENT
 - NOTE
 - SEE ME
 - INVESTIGATE
 - TAKE NECESSARY ACTION
 - EXPLAIN
 - APPROVE
 - SIGN
 - REVISE
 - PREPARE REPLY FOR MY SIGNATURE
 - REPLY DIRECTLY
 - ROUTE TO:

REMARKS/MESSAGES:

Re: Objection to proposed well location No. B-535 - W. B. Berry - Application dated 8-24-83

In checking our files we find we have not received the subject application.

To file an objection under Code 22-4-3, Code 22-4-3a or Code 22-4-3b, you must complete the attached IV-13 form and return it to this office.

If you have any questions concerning this form please call 348-2055 or 348-2057.

FOR YOUR INFORMATION

FILE:
 RETURN

DOMENICK MARRARA SR. HEIRS
 c/o MS. ANNA JOHN
 KINGWOOD, WV 26537



Kingwood, W.Va. 26537
September 8, 1983

RECEIVED

SEP 12 1983

Berry Energy Consultants & Managers, INC.
Union National Bank Building
P. O. Box 5
Clarksburg, W.Va. 26301

OIL & GAS DIVISION
DEPT. OF MINES

Attention Mr. W.B. Berry : Subject Application dated 8/24/83
Operator well No. B 535
API well No. 47
Subject application was received Aug 25, 1983

Dear Sir,

We hereby strongly protest drilling the subject gas well for the following reasons:

1. All coal owners have not been notified. There are seven people by the name of Marrara who are the coal owners none of which have a first name of Josephine.
2. Apparently the well will penetrate three coal seams.
3. There are numerous other wells in the vicinity producing very little if any, gas.
4. Each well requires the protection of from one to six and four-tenths acres of coal which cannot be mined, resulting in a waste of coal resources, as well as a tremendous hazard in mining surrounding coal.
5. If the well is drilled payment is expected for coal lost and additional cost created in mining adjoining coal.
6. Coal ownership and mining right clearly supersede oil and gas.

Yours truly,

DOMENICK MARRARA SR. HEIRS

By



Copy to Robert Stewart
Copy to Department of Mines

RECEIVED

SEP 11 1983

DEPT. OF MINES
OIL & GAS DIVISION

Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR
UNION NATIONAL BANK BUILDING
POST OFFICE BOX 5
CLARKSBURG, WEST VIRGINIA 26301

W. B. BERRY
PRESIDENT

September 14, 1983

PHONE: 304/622-3450

CERTIFIED MAIL

WV Department of Mines
Office of Oil & Gas
1615 Washington St. E.
Charleston, WV 25311

RE: Well Permit Application
Well B-535

Gentlemen:

Please find attached, a completed Form IV-2 constituting our application for a drilling permit for our proposed well B-535 on the Wilmoth Lease comprised of 26 acres situate in Philippi District, Barbour County.

Accompanying our permit application (Form IV-2) are copies of the following.

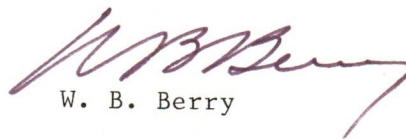
- (1) IV-2A - Notice of Application for a Well Work Permit
- (2) IV-2B - Application for a Well Work Permit executed by the Surface Owner
- (3) IV-9 - Construction and Reclamation Plan (Approved)
- (4) Copy of our transmittal letter to the Coal Owner and the Surface Owner
- (5) Our Lease #2374 dated February 3, 1982 by Frank S. Wilmoth, single, and W. B. Berry

Our check #4325 in the amount of \$350.00 for the required permit fee is attached.

J & J Enterprises, Inc., is presently operating under a blanket bond with the Department of Mines and accordingly request that this well be covered under the provisions of the existing bond coverage.

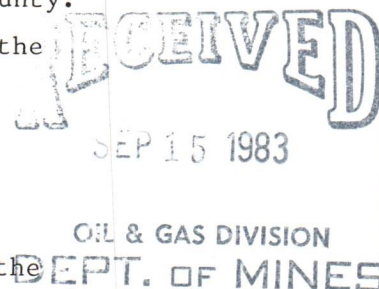
Should your department discover any discrepancies with the subject application and the various attachments, we would appreciate an immediate notice of such.

Yours very truly,


W. B. Berry

WBB:mac

Enclosures



Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR
UNION NATIONAL BANK BUILDING
POST OFFICE BOX 5
CLARKSBURG, WEST VIRGINIA 26301

W. B. BERRY
PRESIDENT

September 14, 1983

PHONE: 304/622-3450
RECEIVED
SEP 15 1983

Mr. Theodore M. Streit, Administrator
Office of Oil and Gas
Department of Mines
307 Jeffersotn Street
Charleston, WV 25311

OIL & GAS DIVISION
DEPT. OF MINES

RE: Well Permit Application,
J & J Enterprises, Well B-535,
Philippi District, Barbour County,
West Virginia

Dear Sir:

In this mailing to the Department of Mines, we are submitting the usual forms and instruments which constitute our application for a drilling permit for well B-535. This specific letter addressed to you, however, deals with the matter of coal ownership and the problem of so-called inadequate ownership identification and subsequent objections.

Attached is a letter dated September 8, 1983, signed by Aurea John for the Dominick Marrara heirs, outlining objections to the drilling of our well B-535, which we heretofore had submitted to them for approval or objection.

Records recorded in the Barbour County Court House identify Josephine Marrara, 101 Lincoln Avenue, Kingwood, WV, as the owner of the coal holdings for which assessments are made and tax receipts are recorded. We understand that Dominick Marrara died without a will and that the coal reserves are appraised and that the children of Dominick Marrara will inherit their proportionate interests in the reserves. During recent conflicts with the Marraras, we were informed that Angeline Marrara was the agent for Mrs. Marrara and the six children.

Berry Energy Consultants, along with J & J Enterprises, have experienced perpetual objections by the Marrara heirs, who own coal in portions of Philippi District, Barbour County.

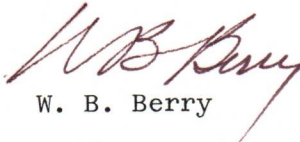
On more than one occasion, we have received their usual letters of objection as it relates to the proposed drilling of a gas well through coal seams in the area. You will note from the attached file of letters, that these same coal owners went through the process of objecting to our well B-422 location but did not fulfill the requirements under the oil and gas regulations to address their objections within a legal posture

Mr. Theodore M. Streit
September 14, 1983
Page 2

in order for your department to proceed with a hearing. You will note that Tom Huzzey, on August 11, 1981, filed notice to them that the permit for B-422 was being issued by the Department of Mines even after their objections due to their failure to validate their protest. B-422, incidentally, is an offset well to B-535.

We would appreciate advice from you as to what is required of us in order to proceed, or as to the position that the Office of Oil and Gas will exercise with respect to the Marrara objection.

Yours very truly,



W. B. Berry

WBB/plk

Enclosures



State of West Virginia

**Department of Mines
Oil and Gas Division
Charleston 25305**

**WALTER N. MILLER
DIRECTOR**

**THEODORE M. STREIT
ADMINISTRATOR**

October 4, 1983

Domenick Marrara, Sr. Heirs
c/o Ms. Arna John
Kingwood, West Virginia 26537

Re: Proposed Well Location No. B-535, W. B. Berry/J & J Enterprises

Dear Ms. John:

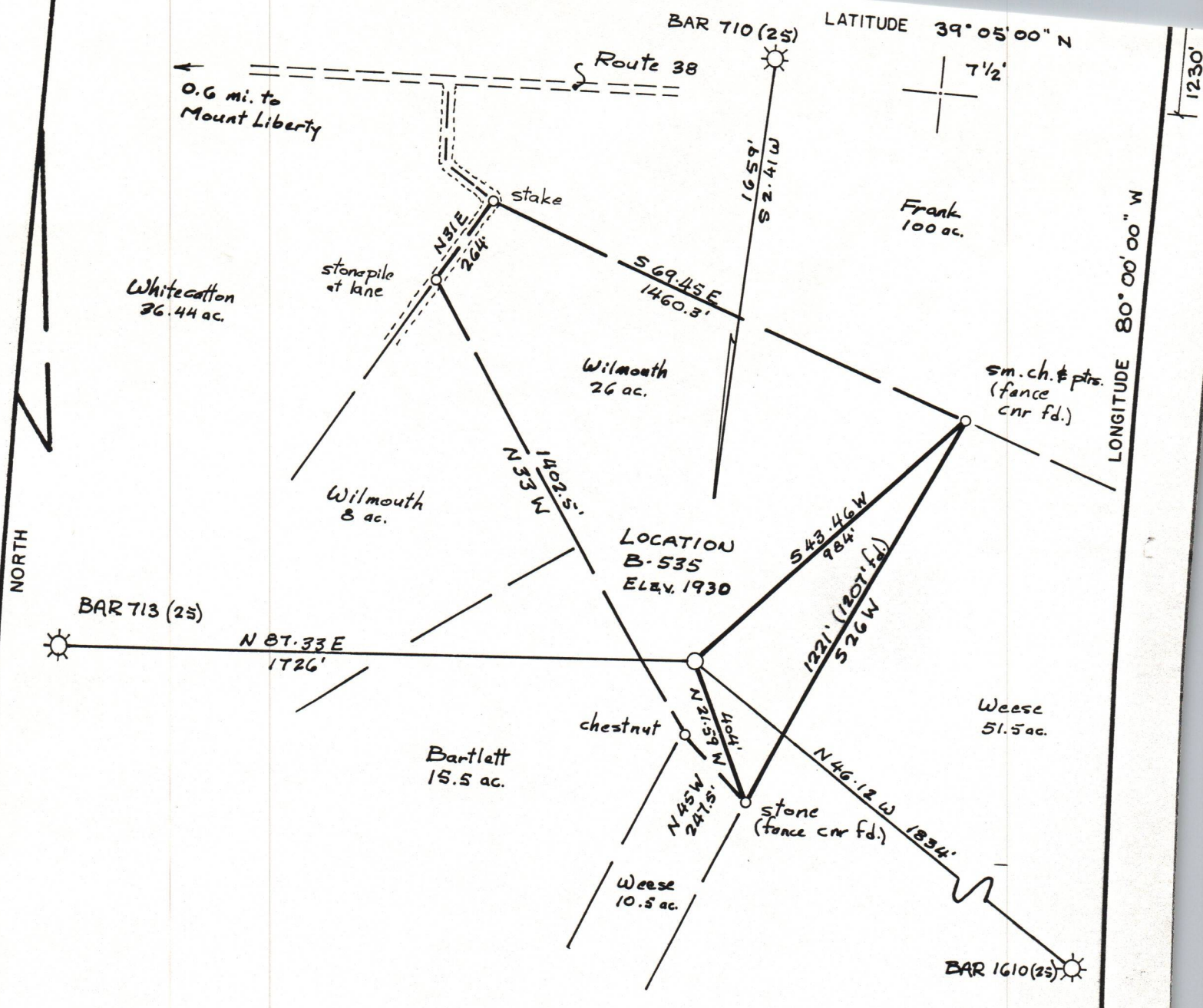
Since you have not completed and returned the IV-13 forms sent to you on September 13, 1983, relative to your objection to the proposed well location No. B-535, we have no alternative but to issue J & J Enterprises a permit to drill the well as requested on the application received in this office September 15, 1983.

Sincerely,

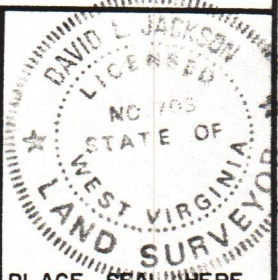
Theodore M. Streit, Administrator
Office of Oil & Gas

MH/sw

cc: J & J Enterprises, Inc.
c/o Berry Energy Consultants & Managers, Inc.



NOTE: All wells within 2400' are shown.

FILE NO. <u>Var. - 7° 00'</u> DRAWING NO. _____ SCALE <u>1" = 400'</u> MINIMUM DEGREE OF ACCURACY <u>1 in 200</u> PROVEN SOURCE OF ELEVATION <u>Top of knob 2200'</u> <u>SE. of location; elev. 2071</u>	I THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DEPARTMENT OF MINES. (SIGNED) <u>David L. Jackson</u> R. P. E. _____ L. L. S. <u>708</u>	 PLACE SEAL HERE
---	--	--

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS
 FORM IV-6
 (8-78)



**Department of Mines
 Oil & Gas Division**

DATE Dec. 18, 19 82
 OPERATOR'S WELL NO. B-535
 API WELL NO. _____
47 - 001 - 1981
 STATE COUNTY PERMIT

WELL TYPE: OIL _____ GAS LIQUID INJECTION _____ WASTE DISPOSAL _____
 (IF "GAS", PRODUCTION STORAGE _____ DEEP _____ SHALLOW
 LOCATION: ELEVATION 1930 WATER SHED Tributary of Laurel Run of Tygart Valley River
 DISTRICT Philippi COUNTY Barbour
 QUADRANGLE Audra 7'12'

SURFACE OWNER A. Stout ACREAGE 26 ac.
 OIL & GAS ROYALTY OWNER Frank Wilmoth LEASE ACREAGE 26 ac.
 LEASE NO. 2324

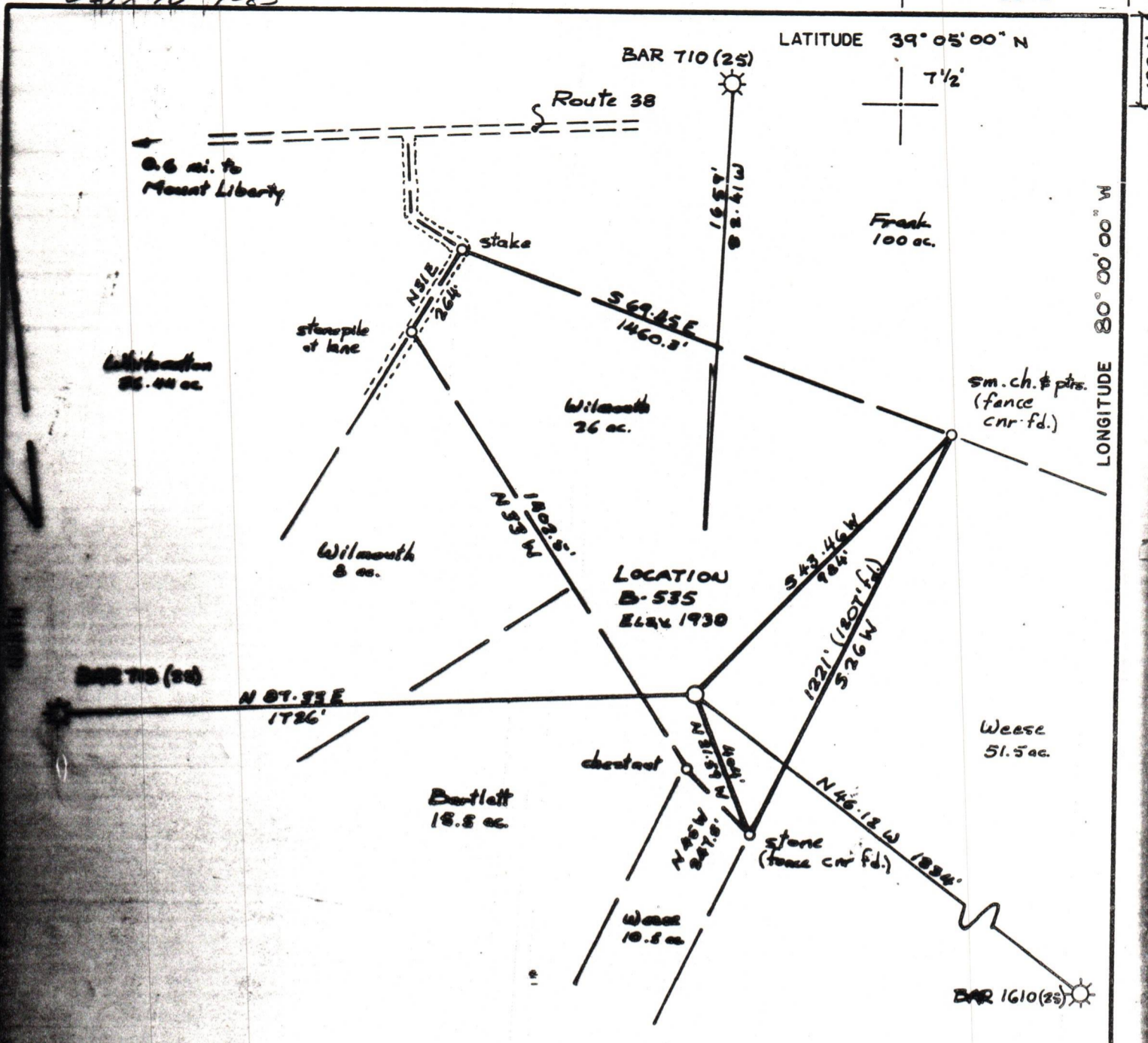
PROPOSED WORK: DRILL CONVERT _____ DRILL DEEPER _____ REDRILL _____ FRACTURE OR STIMULATE _____ PLUG OFF OLD FORMATION _____ PERFORATE NEW FORMATION _____ OTHER PHYSICAL CHANGE IN WELL (SPECIFY) _____

PLUG AND ABANDON _____ CLEAN OUT AND REPLUG _____
 TARGET FORMATION Haverty ESTIMATED DEPTH 5400'
 WELL OPERATOR Berry Energy Consultants & Mgrs. Inc. DESIGNATED AGENT W. B. Berry
 ADDRESS P.O. Box 5 ADDRESS P.O. Box 5
Clarksburg, WV 26301 Clarksburg, WV 26301

Bar 1981

PL 10-4-83

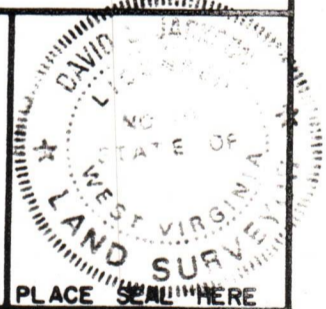
3060'



NOTE: All wells within 2400' are shown.

PLAT NO. 10-4-83
 SCALE 1" = 400'
 DEGREE OF ACCURACY 1 in 200
 SOURCE OF INFORMATION Top of bench 2200'
at location, elev. 2071

I THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DEPARTMENT OF MINES.
 (SIGNED) David L. Johnson
 R.P.E. _____ L.L.S. 708



NOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS
 FORM IV-6
 (8-78)



Department of Mines
 Oil & Gas Division

DATE Dec. 18, 19 82
 OPERATOR'S WELL NO. B-535
 API WELL NO. 47-001-1981
 STATE COUNTY PERMIT

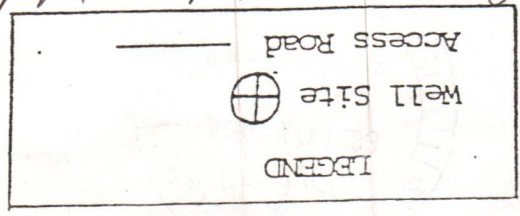
WELL TYPE: OIL GAS LIQUID INJECTION WASTE DISPOSAL
 (IF "GAS", PRODUCTION STORAGE DEEP SHALLOW
 LOCATION: ELEVATION 1930 WATER SHED Tributary of Laurel Run of Tygart Valley River
 DISTRICT Phillipi COUNTY Barbour
 QUADRANGLE Audra 7 1/2'

SURFACE OWNER A. Stout ACREAGE 26 ac.
 OIL & GAS ROYALTY OWNER Frank Wilmouth LEASE ACREAGE 26 ac.
 LEASE NO. 2324

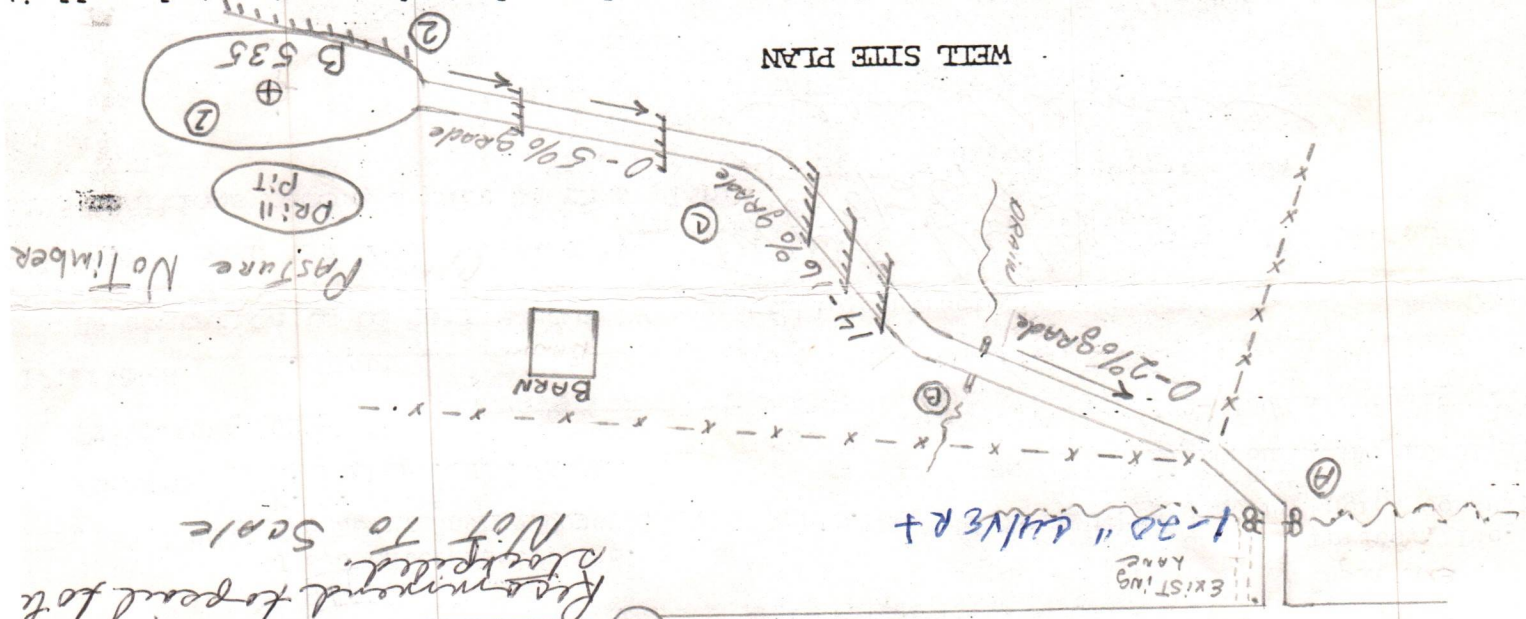
PROPOSED WORK: DRILL CONVERT DRILL DEEPER REDRILL FRACTURE OR STIMULATE PLUG OFF OLD FORMATION PERFORATE NEW FORMATION OTHER PHYSICAL CHANGE IN WELL (SPECIFY) _____

PLUG AND ABANDON CLEAN OUT AND REPLUG
 TARGET FORMATION Haverty ESTIMATED DEPTH 5400'
 WELL OPERATOR Berry Energy Consultants & Mgrs DESIGNATED AGENT W. B. Berry
 ADDRESS P.O. Box 5 ADDRESS P.O. Box 5
Clarksburg, WV 26301 Clarksburg, WV 26301

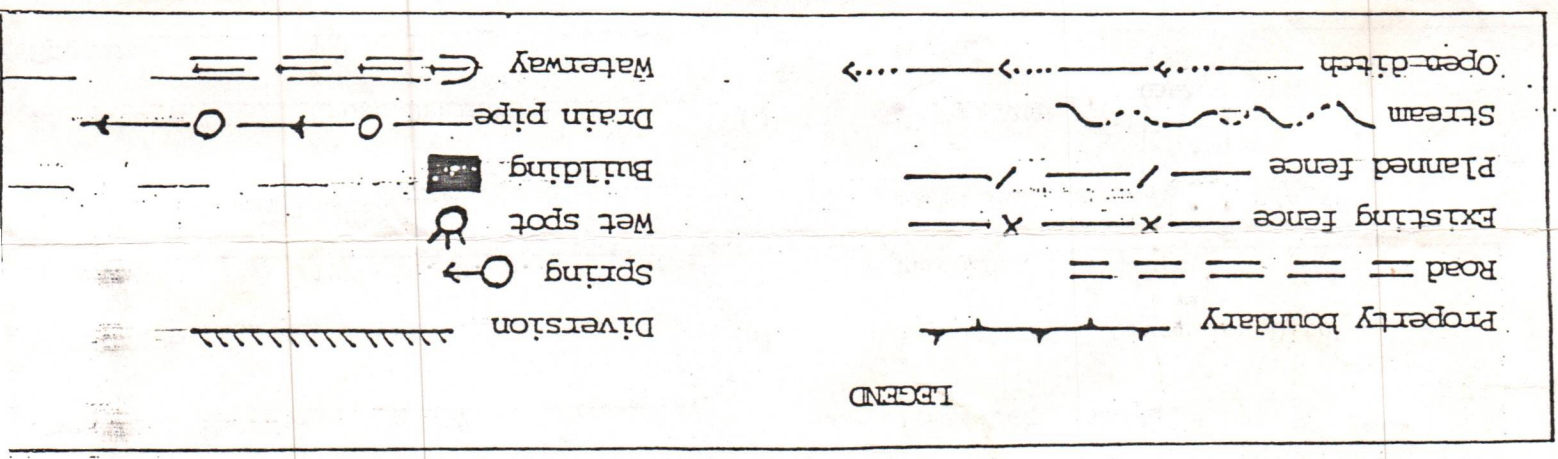
ATTACH OR PHOTOCOPY SECTION OF INVOLVED TOPOGRAPHIC MAP. Andra 7 1/2 QUADRANGLE



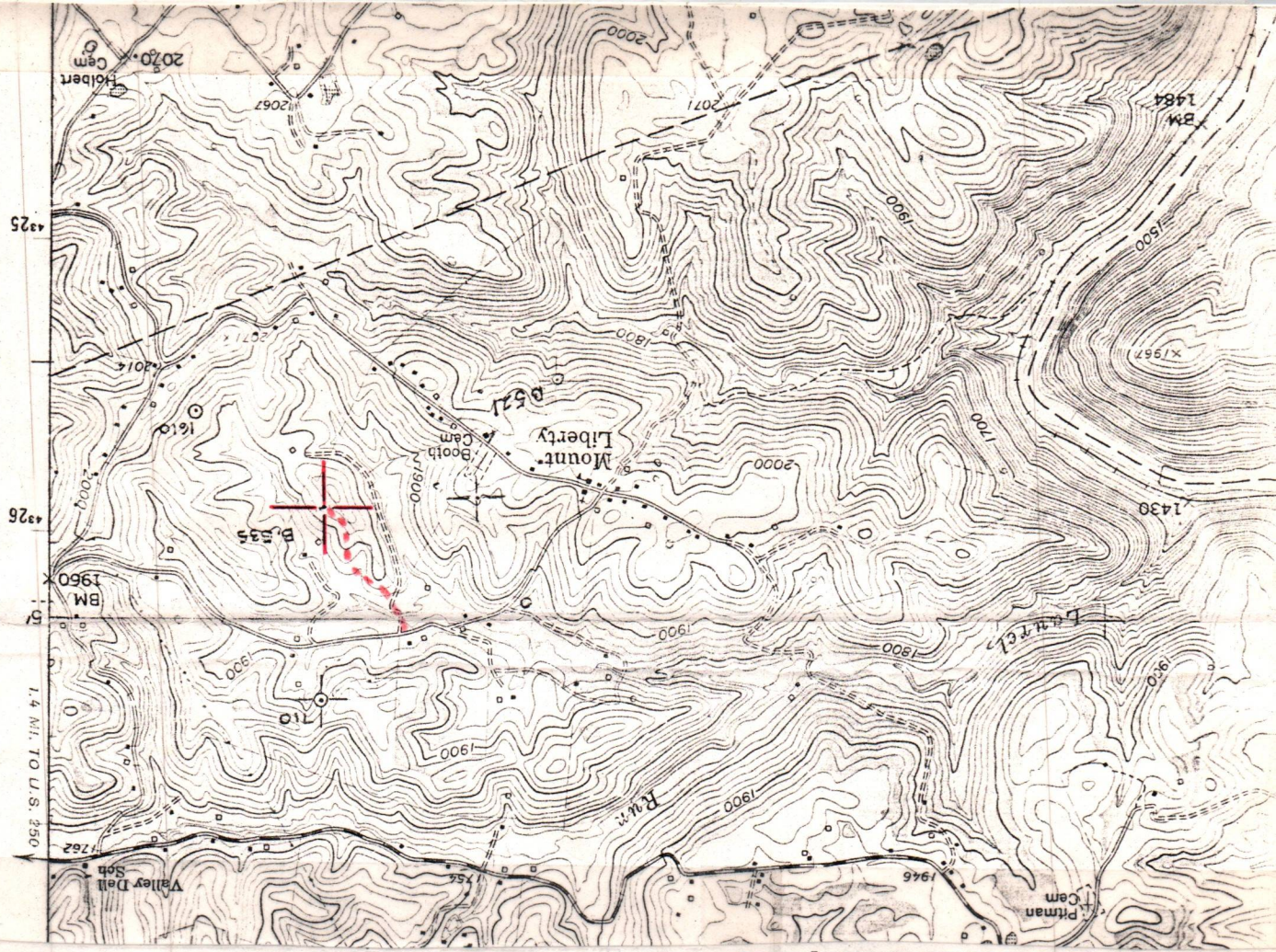
Recon road to road lot
 1/2 mile
 Not to scale

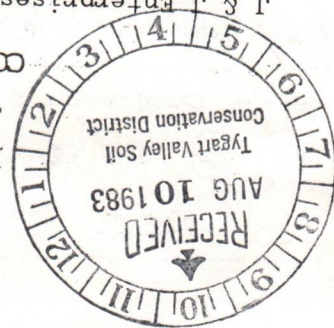


Sketch to include well location, existing access road, roads to be constructed, well site drilling pits and necessary structures numbered or lettered to correspond with the first part of this plan. Include all natural drainage.



Location to be cut on 2:1 Slope. All culverts and ditches to be maintained after construction is complete.





DATE 7-22-83 WELL NO. B-535

STATE OF WEST VIRGINIA API NO. 47-001-1981

Department of Mines and Gas Division

CONSTRUCTION AND RECLAMATION PLAN

COMPANY NAME J & J Enterprises, Inc. c/o Berry Energy Consultants & Mgr's DESIGNATED AGENT

Address P. O. Box 5 Clarksburg, WV 26301 Telephone 622-3450

LANDOWNER A. Stout Telephone 622-3450

SOIL CONS. DISTRICT Tygart Valley Reputable contractor (Agent)

This plan has been reviewed by Tygart Valley SCD. All corrections and additions become a part of this plan:

(Date) 8/20/83 (SCD Agent) Jean Freeman

ACCESS ROAD

Structure Culverts

Spacing 12" Min. O. D.

Page Ref. Manual 2-7

Structure Culvert

Spacing 12" Min. O. D.

Page Ref. Manual 2-7

Structure Cross Drains

Spacing Table 1

Page Ref. Manual 2-4

LOCATION

Structure Earthen

Spacing Diversion Ditch

Page Ref. Manual N/A

Structure No Timber

Spacing Loc. in Pasture

Page Ref. Manual N/A

Structure

Spacing

Page Ref. Manual

Structure

Spacing

Page Ref. Manual

Structure

Spacing

Page Ref. Manual

REVEGETATION

Treatment Area I

Lime 3 Tons/acre or correct to pH 6.5

Fertilizer 600 lbs/acre (10-20-20 or equivalent)

Mulch 2 Tons/acre Hay or straw

Seed* Ky. Tall Fescue 30 lbs/acre

Dom Rye 10 lbs/acre

Birds Foot 10 lbs/acre

Inoculate all legumes such as vetch, trefoil and clovers with the proper bacterium. Inoculate with 3X recommended amount.

Treatment Area II

Lime 3 Tons/acre or correct to pH 6.5

Fertilizer 600 lbs/acre (10-20-20 or equivalent)

Mulch 2 Tons/acre Hay or straw

Seed* Ky. Tall Fescue 30 lbs/acre

Dom Rye 10 lbs/acre

Birds Foot 10 lbs/acre

*Inoculate all legumes such as vetch, trefoil and clovers with the proper bacterium. Inoculate with 3X recommended amount.

PLAN PREPARED BY Berry Energy Consultants

ADDRESS P. O. Box 5 Clarksburg, WV 26301

PHONE NO. 622-3450

NOTES: Please request landowners' cooperation to protect new seedling for one growing season. Attach separate sheets as necessary for comments.

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS WELLS DIVISION

INSPECTOR'S WELL REPORT

Permit No. 001-1981

Oil or Gas Well _____
(KIND)

Company J J Enterprises

Address _____

Farm Grand Helmouth

Well No. B-535

District Phillippi County Barbour

Drilling commenced _____

Drilling completed _____ Total depth 1020

Date shot _____ Depth of shot _____

Initial open flow _____ /10ths Water in _____ Inch

Open flow after tubing _____ /10ths Merc. in _____ Inch

Volume _____ Cu. Ft.

Rock pressure _____ lbs. _____ hrs.

Oil _____ bbls., 1st 24 hrs.

Fresh water _____ feet _____ feet

Salt water _____ feet _____ feet

Drillers' Names _____

Remarks: _____

CASING AND TUBING	USED IN DRILLING	LEFT IN WELL	PACKERS
Size			
16			Kind of Packerc
13			
10			Size of
8 1/4	<u>990</u>	<u>990</u>	<u>240 Sk cement</u>
6 5/8			Depth set
5 3/16			
3			Perf. top
2			Perf. bottom
Liners Used			Perf. top
			Perf. bottom

CASING CEMENTED _____ SIZE _____ No. FT. _____ Date _____

NAME OF SERVICE COMPANY _____

COAL WAS ENCOUNTERED AT _____ FEET _____ INCHES

_____ FEET _____ INCHES FEET _____ INCHES

_____ FEET _____ INCHES FEET _____ INCHES

RECEIVED

NOV 2 - 1983

OIL & GAS DIVISION
DEPT. OF MINES

Oct 24, 83
DATE

Phillip Drey
DISTRICT WELL INSPECTOR

FORM NO
2/16/82

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS WELLS DIVISION

INSPECTOR'S PLUGGING REPORT

Permit No. _____

Well No. _____

COMPANY _____ ADDRESS _____

FARM _____ DISTRICT _____ COUNTY _____

Filling Material Used _____

Liner	Location	Amount	Packer	Location		
				PLUGS USED AND DEPTH PLACED	BRIDGES	CASING AND TUBING
CEMENT-THICKNESS	WOOD-SIZE	LEAD	CONSTRUCTION-LOCATION	RECOVERED	SIZE	LOST

Drillers' Names _____

Remarks: _____

DATE _____ I hereby certify I visited the above well on this date.

DISTRICT WELL INSPECTOR